

City of Kingsville, Texas

AGENDA

CITY COMMISSION

MONDAY, FEBRUARY 09, 2026

REGULAR MEETING

CITY HALL

HELEN KLEBERG GROVES COMMUNITY ROOM

400 WEST KING AVENUE

5:00 P.M. – Regular Meeting

Live Videostream: <https://www.facebook.com/cityofkingsvilletx>

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

APPROVED BY:

MINUTES OF PREVIOUS MEETING(S)


Charlie Sosa

Regular Meeting - January 12, 2026

Charlie Sosa
City Manager

II. Public Hearing - (Required by Law).¹

1. Public Hearing on request for an alcohol variance for a BF-Retail Dealer's Off-Premise License for an establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas. (Interim Planning & Economic Development Director).

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial Services - Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works-Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items.³

1. Comments on all agenda and non-agenda items.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

(At this point the Commission will vote on all motions, resolutions, and ordinances not removed for individual consideration)

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend a donation from the Tractor Supply Foundation to help with Police Department's Blue Santa event. (Police Chief).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the installation of a turf area around home plate at one baseball field at Dick Kleberg Park. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the 2021 TASA Call for Projects-Interschool & Residential Multimodal Connectivity. (City Engineer).
4. Motion to approve reappointment of Krystal Emery to the City of Kingsville Planning & Zoning Commission for a two-year term, running from June 2026-June 2028. (her current term has not expired; June 2024-June 2026) (Commissioner Lopez) (Economic Development Manager/ Interim Planning & Development Services Director).
5. Motion to approve reappointment of Norma Sue Adrian to the City of Kingsville Health Board for a three-year term running from February 2026-February 2029. (Health Director).
6. Motion to approve reappointment of Lupe Ruiz and Gloria Bigger-Cantu as Resident representatives and Elaine Jameson, Sylvia Molina, and Rose Morales as Downtown Merchant representatives to the City of Kingsville Main Street Advisory Board, each of the representatives for a two-year term running from February 2026-February 2028. (Tourism Director).
7. Motion to approve reappointment of Kathy Pawelek to the City of Kingsville Hotel Occupancy Tax Advisory Board as the Conner Museum representative for a two-year term running from February 2026-February 2028. (Health Director).
8. Motion to approve a resolution authorizing the Mayor to execute the Permission and Indemnity Agreement with the King Ranch, Inc. for the 21st Annual Ride on the Wild Side Charity Bike Event. (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Discuss and consider approving an alcohol variance for a BF-Retail Dealer's Off-Premise License for an establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas. (Economic Development Manager/ Interim Planning & Development Services Director).
10. Discuss and consider the appointment of Jacob Perkins as a Downtown Merchant representative and Rudy Trevino as the Texas A&M University-Kingsville representative to the City of Kingsville Main Street Advisory Board, each for a two-year term running from February 2026-February 2028. (Tourism Director).

11. Discuss and consider the appointment of Devraj Patel as a Hotel Industry representative on the City of Kingsville Hotel Occupancy Tax Advisory Board for a two-year term running from February 2026-February 2028. (Tourism Director).
12. Discuss and consider authorizing City sponsorship of and participation in Meet the Blues event to be held at the JK Northway on April 17, 2026 through waiver of cost of City security and emergency services personnel at the event. (in conjunction with the Wings Over South Texas Airshow is to take place April 18 & 19, 2026 at NAS-Kingsville). (Tourism Director).
13. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 3: E. Caesar Ave. storm water improvements. (City Engineer).
14. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 5: E. Caesar Ave. storm water improvements. (City Engineer).
15. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #3 to the construction contract with Donald Hubert Construction Co. for the GLO CDBG-MIT Contract 22-082-016-D218 Project 1: 14th Street sanitary sewer improvements project. (City Engineer).
16. Discuss and consider a resolution authorizing the City Manager to execute Change Order #4 to the construction contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street- storm water improvements project. (City Engineer).
17. Discuss and consider authorizing emergency purchase and repairs to the blowers at the North and South Wastewater Treatment Plants. (Public Works Director).
18. Discuss and consider approving a resolution authorizing the Mayor to execute an Advanced Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project Utilizing Transportation Developmental Credits Both On-System and Off-System with the Texas Department of Public Safety. (amending agreement approved 1/23/23). (City Engineer).
19. Discuss and consider approving a resolution of the City of Kingsville authorizing the submission of an application to the Texas Water Development Board (TWDB) for the Drinking Water State Revolving Fund Loan Program's Call for Projects for City water system projects; requesting financial assistance from TWDB; authorizing the filing of an application for assistance; and making certain findings in connection therewith. (City Engineer).
20. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office Criminal Justice Division's Body-Worn Camera Grant Program, FY2027; authorizing the Chief of Police to act on the City's behalf with such program. (no cash match) (Police Chief).
21. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2027 for cameras and equipment for the Kingsville Police Department. (no cash match) (Police Chief).
22. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Violence Against Women Justice and Training Program (VAWA), FY2027 Grant for the Kingsville Police Department; authorizing the Chief of Police to act on the City's behalf with such program. (30% cash match). (Police Chief).

23. Discuss and consider approving a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the City of Kingsville and Texas A&M University-Kingsville for Student Internship Program. (Human Resources Director).
24. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 1-City Commission, Section 1-Meetings; providing for revision of meeting time to 4pm. (City Manager).
25. Discuss and consider nomination of members to the City of Kingsville Ethics Review Board. (City Attorney).
26. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

VII. Adjournment.

1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizen's comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

NOTICE

This City of Kingsville and Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall, City of Kingsville, 400 West King Avenue, Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

February 3, 2026, at 3:30 P.M. and remained posted continuously for at least three business days proceeding the scheduled time of said meeting.

Mary Valenzuela
Mary Valenzuela, TRMC, City Secretary
City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: _____

By: _____
City Secretary's Office, City of Kingsville, Texas

**MINUTES OF PREVIOUS
MEETING(S)**

JANUARY 12, 2026

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 12, 2026, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS, AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Edna Lopez, Commissioner
Norma Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Director
Derek Williams, Systems Administrator
Susan Ivy, Parks Director
Manny Salazar, Economic Development Manager
Charlie Cardena, Engineer
Emilio Garcia, Health Director
Connie Womack, Tourism Director
John Blair, Police Chief
Bill Donnell, Public Works Director
Monika Donnell, Municipal Court Supervisor
Leticia Salinas, Accounting Manager
Deborah Balli, Finance Director
Steve Palacios, Fire Marshall

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with all five commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

October 27, 2025 – Regular Meeting

November 10, 2025 – Regular Meeting

November 24, 2025 – Regular Meeting

December 8, 2025 – Regular Meeting

Motion made by Commissioner Lopez to approve the minutes of October 27, 2025, November 10, 2025, November 24, 2025, and December 8, 2025, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.

II. Public Hearing - (Required by Law).¹

1. Public Hearing on condemnation of structure at 619 W. Ragland, Kingsville, Texas. (Interim Planning & Development Services Director/City Manager).

Mayor Fugate read and opened this public hearing at 5:02 p.m. Mayor Fugate further announced that this is a public hearing. If anyone would like to speak on behalf of this item

they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Charlie Cardenas, City Engineer, reported on this condemnation. Property has been inspected and condemned and has gone through the proper committees in order to bring it forward to this public hearing. This started back in July 2025.

Ms. Alvarez reported that this property was inspected by the building official has done an inspection of the property in July 2025. The report notes that the roof is completely dilapidated allowing water inside, windows and doors are busted out and walls have fallen due to water damage. This property has had no water service since 2006 and electric service since 2005.

There being no further discussion, Mayor Fugate closed this public hearing at 5:04 p.m.

2. Public Hearing on condemnation of structure at 728 W. Doddridge, Kingsville, Texas (shed). (Interim Planning & Development Services Director/City Manager).

Mayor Fugate read and opened this public hearing at 5:04 p.m. Mayor Fugate further announced that this is a public hearing. If anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Sosa reported that this is a metal storage shed that is located behind the structure that was blown over by the wind.

Ms. Alvarez stated that the building official has inspected the shed. It was determined that it was broken and hazardous. Notices of violation were sent and received. Notice of hearing was sent and received. There is no water or electricity at this site.

There being no further discussion, Mayor Fugate closed this public hearing at 5:06 p.m.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial Services - Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works-Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

Mr. Charlie Sosa, City Manager, gave an update on street projects. He further reported that the contractor will be working on the downtown project beginning next week. All downtown merchants have been notified of the work that will be done next week. Mr. Sosa announced that Mr. Manny Salazar has been named the Interim Planning & Development Services Director. Mr. Salazar started in the new role today.

Ms. Courtney Alvarez reported that the next city commission meeting is scheduled for January 26, 2026. Deadline for staff to submit agenda items for January 26th is January 13, 2026.

Commissioner Lopez commented that she would like to wish Mr. Ruben Chapa, former Golf Course Manager good luck in his next endeavor. The Golf Course under Ruben's guidance and dedication facilitate numerous improvements, including the completion of the golf greens, trimming of mesquite trees, removal of cacti from the ponds, improvements to the sprinkler system and a lot more. The golf course revenue substantially exceeded last year's figures. This is a considerable loss for our city as he was well respected by his employees and community members, according to all the Facebook postings.

Mayor Fugate commended the street crew for their hard work cleaning up the streets.

IV. Public Comment on Agenda Items.³

1. Comments on all agenda and non-agenda items.

Harlis Burton, 902 Elizabeth, commented on his concerns regarding the new establishment that will be opening near his home. The establishment is a food truck court, and his concerns is the food truck court area is zoned for retail. He stated that neighbors around were not notified prior to the beginning of construction. Their first notice was posted in front of the property that a food truck court would be coming soon. There is no evidence that ordinance requirements were being met as in permits. He stated that he would like to see some of the permits that they applied for and approved. He stated that during mass, there were three individuals that were concealed carrying. He stated that they were there for a reason and it was during the meeting. He stated that there have been some bad things that have happened in other states, that he feels that we need to take into concern. He stated that if he is correct, this new location, food truck court, is a place for gathering people. He stated that he doesn't see any concern about security. He stated that he has done a lot of research on this and it has been a long process. There were problems with the previous owner, Mr. Nunez, who expected him to pay half of the fence that went up between the two properties, which is not to the regulations. He further commented that he doesn't know who the owners of the property are, as he has heard it has been sublet to someone else.

Gaylen Thompson, 905 Alexander, commented that their concerns are the same as Mr. Burton. He stated that there is an active alcohol location right across the street from this location. He further stated that no one has spoken to them about what is going on, which is their concern. He further stated that the permits there has any permits to discussed these permits and voted on these permits to which no one has told them anything. He stated that this is their concern.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

(At this point the Commission will vote on all motions, resolutions, and ordinances not removed for individual consideration)

Motion made by Commissioner Lopez to approve consent agenda items 1, 2, 3, 5, 6, and 7 and move item #4 to the regular section of the agenda due to an error in the wording for that item, seconded by Commissioner Alvarez.

Commissioner Lopez stated that according to agenda item #4 P&Z members are being reappointed to that board which includes Mr. Crispin Trevino who is not a current member, so there is no way that he can be reappointed. She stated that Mr. Trevino is being considered for this appointment in the regular section of the agenda under item #9. With this error, agenda item #4 needs to be removed from the consent agenda and placed under the regular section of the agenda, as Mr. Trevino is not a current member of the P&Z Board.

Mayor Fugate asked Ms. Alvarez if this item needs to be removed and redrafted.

Ms. Alvarez responded that it can be removed and vote on everybody but him for reappointment when you do the removal. Then vote on his initial appointment, which is item #9, which is already in the regular part of the agenda.

Commissioner Lopez asked if what Ms. Alvarez was stating was for the commission to approve everyone else but Mr. Trevino as he is not a current member.

Ms. Alvarez stated that Commissioner Lopez could get a second to her motion to approve items 1, 2, 3, 5, 6, and 7, and approve those under consent, then item 4 would automatically be the first item for the regular portion of the meeting.

The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend grant funds from the State Energy Conservation Office (SECO) for Parks lighting projects. (Parks Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend donations from Regency Integrated Health and the Womens Club of Kingsville for recreation supplies. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend grant funds from the Coastal Bend Regional Advisory Council for Fire Department medical supplies. (Fire Chief).
4. Motion to approve reappointment of Steve Zamora, Debbie Tiffee, Larry Garcia, Brian Coufal, Idotha Battle, Krystal Emery, Crispin Trevino each for 2-year terms to the City of Kingsville Planning & Zoning Commission. (Interim Planning & Economic Development Director/City Manager).

Motion made by Commissioner Lopez to approve the reappointment of Steve Zamora, Debbie Tiffee, Larry Garcia, Brian Coufal, Idotha Battle, Krystal Emery each for a 2-year term to the City of Kingsville Planning & Zoning Commission and remove Crispin Trevino from this agenda item, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

5. Motion to approve reappointment of Eden Hernandez, Albert Garcia, John Garza, Orlando Moya, and Larry Garcia each for 2-year terms to the City of Kingsville Zoning Board of Adjustment. (Interim Planning & Economic Development Director/City Manager).
6. Motion to approve reappointment of D.J. Flores, Ruben Cantu, & Linda Castenada for 3-year terms, Max Segovia & Sally Macias for 2-year terms, and Sandra Seymour & Clarice Williams for 1-year terms to the City of Kingsville Park Advisory Board. (Parks Director).
7. Motion to approve reappointment of Leo Garcia as the City Resident representative for a 2-year term, Lorette Williams as the King Ranch representative for a 2-year term, Dr. Bhakta Hetul as the Hotel Industry representative for a 2-year term. (Tourism Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider appointment of Justin Woodall as the Texas A&M University-Kingsville representative for a 2-year term and Steven Flores as the Main Street Merchant representative for a 2-year term to the City of Kingsville Hotel Occupancy Tax Advisory Board. (Tourism Director).

Motion made by Commissioner Alvarez to approve the appointment of Justin Woodall as the Texas A&M University-Kingsville representative for a 2-year term and Steven Flores as the Main Street Merchant representative for a 2-year term to the City of Kingsville Hotel Occupancy Tax Advisory Board, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

9. Consider appointment of Crispin Trevino for a 2-year term to the City of Kingsville Planning & Zoning Commission. (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Lopez to table this item, and she will explain why.

Commissioner Lopez stated that she would like to thank Mr. Trevino for wanting to serve and for already serving as the city's representative to the Kingsville Appraisal District Board. She stated that the reason she is asking to table this item is that normally, the commission is told when there are positions open, and it is known publicly so that people can know that there is a position open. This is a very important board, as all other boards are as well. She further stated that this item is listed under the Interim P&Z Director/City Manager, which is the presenter, which is Mr. Charlie Sosa, at this time. She stated that with this being said she is suggesting that this could be seen as appointing a family member to this board, which he was currently overseeing as of this morning. She also stated that the information of the vacancy of this board was not shared with the City Commission at an open meeting and passed practice of appointing citizens to our board has been to announce the opening at a commission meeting and to make our citizens aware of the opening so that they have the opportunity to request that they be considered. Lopez further commented that she does not understand the rush to fill this position as a quorum is always met and we need to be transparent and give the citizens the opportunity to be considered. She further commented that this is why she is asking to table this item.

Commissioner Alvarez commented that the problem in tabling this item is that it will be six months.

Mayor Fugate commented that the commission doesn't table it, we pass it. Mayor Fugate asked staff if this was ever discussed in one of our meetings that there was an opening.

Commissioner Alvarez and Commissioner Lopez responded no.

Commissioner Alvarez commented that the directors are the ones that make the recommendation.

Commissioner Lopez commented that the city commission always announce it and people call in and she has been asked by a lot of people that whenever the city has an opening to let them know as they would like to serve on that board. In this case there was no announcement. She is not sure what she is supposed to tell them. She stated that it would be fair to wait one more meeting and you will have the public on notice if they would like to participate.

Mayor Fugate asked Ms. Alvarez for her legal opinion on this situation.

Commissioner Hinojosa commented that this was not announced, but in the past, they haven't announced that there is an opening on any board, so the commission goes ahead and approves it.

Commissioner Alarcon commented that the last one he remembers is the opening that Krystal Emery was appointed to, which was brought up by past City Manager, Mr. Mark McLaughlin. That opening was just on the agenda.

Commissioner Alvare commented that they are usually just on the agenda.

Commissioner Lopez commented that she recalls them being announced so that it would give the people notice. She stated that instead of the motion she passes.

Mayor Fugate asked if you want to pass on an item, does there have to be a second.

Ms. Alvarez responded that the commission hasn't done it in the past, but it can certainly be done. It is usually a consensus to pass it.

Commissioner Alvarez asked that if it is moved to approve until the next city commission that would be on January 26th, but the deadline to turn in agenda items is tomorrow.

Commissioner Lopez commented that there is no need to rush this as this board has enough members for a quorum. This would give citizens to opportunity to call in if they are interested in serving.

Commissioner Hinojosa commented that the its been the board itself to recommend for somebody to be on that board.

Ms. Alvarez stated that we have had a hybrid, if there is a vacancy and if the director doesn't have a name, for example if a board member has moved or decides to no longer serve, then the board will try to find someone that is qualified. It is also mentioned to the commission where names can be proposed as well.

Mayor Fugate commented that there has not been one set rule on how this is to be done.

Commissioner Lopez commented that she is trying to help Mr. Sosa since he was in charge of this and it is a family member of his, just to be more transparent. She stated that she is just trying to be more transparent.

Commissioner Alvarez asked if this is like a brother or something to Mr. Sosa.

Commissioner Lopez responded that Mr. Trevino is a cousin.

Commissioner Alvarez responded that if it's a cousin, it is not nepotism.

Commissioner Lopez responded that it's not nepotism, but Mr. Sosa. Mr. Trevino already serves on a board, and it needs to be transparent.

Mayor Fugate commented that it will be up to what the commission wants to do with this item, as it is on the agenda. The item could be passed on and brought up at the next meeting or vote on it now.

Motion made by Commissioner Hinojosa approve the appointment of Crispin Trevino for a 2-year term to the City of Kingsville Planning & Zoning Commission.

Mrs. Mary Valenzuela, City Secretary, stated that a motion was already made by Commissioner Lopez and asked if Commissioner Lopez would like to remove that motion.

Commissioner Lopez stated that she will remove her motion, as they already know what they are going to do.

Commissioner Hinojosa's motion was seconded by Commissioner Alarcon.

Commissioner Alvarez stated that as for the deadline for the January 26th meeting, asked how late can you add a name to the agenda or do they wait until the following meeting, should this item not pass tonight.

Ms. Alvarez responded that since this is only a board appointment and not a contract or an ordinance that requires a lot of drafting, for this one particular item this one time, we can get it Thursday morning.

Commissioner Hinojosa asked if there is a rule or ordinance that states that any board member can not serve because they are related to the city manager or any other city official.

Ms. Alvarez responded that she doesn't think to regards to being related to the city manager, she thinks that if she heard the commissioner correctly, with regards to Commissioner Lopez concern was that up until the announcement made at the meeting earlier today, that the city manager was not putting Mr. Manny Salazar in charge of the Planning Department. The city manager had been to that point in charge of the Planning Department. The concern there was that he was going to be appointing a family member to a board that he would have been supervising.

Commissioner Alvarez stated that she would like agenda item stating that it would be the other Interim Planning Director. At the next meeting there will be another agenda item that states, it could be him again, but then it's not coming that it's a relative of Mr. Sosa. Commissioner Alvarez asked if Mr. Manny Salazar was related to Mr. Trevino.

Mayor Fugate responded no.

Commissioner Lopez commented that this is all for transparency.

Ms. Alvarez commented that if the concern was that the city manager was to oversee the board, as the Interim Planning Director and he has removed himself and has placed someone else to the position as Interim Planning Director then that immediate level of supervision of that relative is no longer there.

The motion was passed and approved by the following vote: Alarcon, Alvarez, Hinojosa, Fugate voting "FOR". Lopez "AGAINST".

10. Consider condemnation of structure located at 619 W. Ragland, Kingsville, Texas. (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Hinojosa, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be correct without substantial reconstruction then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days, seconded by Commissioner Alarcon. The motion was passed and

approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

11. Consider condemnation of structure located at 728 W. Doddridge, Kingsville, Texas (shed). (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Hinojosa, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be correct without substantial reconstruction then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

12. Discuss and consider accepting monetary donation from Tractor Supply Foundation through the Hometown Hero's program. (Police Chief).

Mr. John Blair, Police Chief stated that this is a request for approval to accept a donation in the amount of \$250.00 from the Tractor Supply Foundation Fund. Each year the Tractor Supply Foundation through the Hometown Hero's Program donates funds to local first responders organizations. The donation will be used to help purchase items for the Blue Santa event.

Motion made by Commissioner Lopez to accept monetary donation from Tractor Supply Foundation through the Hometown Hero's Program, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

13. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend a donation from the Tractor Supply Foundation to help with Police Department's Blue Santa event. (Police Chief).

Introduction item.

14. Discuss and consider approving a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and Flock Group Inc.-Flock Safety for law enforcement technology. (Police Chief).

Chief Blair stated that this is a request for approval to enter into a contract with Flock Group, Inc. for the deployment of an automated license plate reader system. This contract will support the continued effort to strengthen public safety, expand investigative capability, and modernize our approach to crime prevention. The contract will be funded through the Edward Byrne Memorial Justice Assistance Grant Program FY 2026 in the amount of \$72,975.00. The grant requires no cash match.

Motion made by Commissioner Lopez to approve the resolution authorizing the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and Flock Group Inc.-Flock Safety for law enforcement technology, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

15. Discuss and consider approving a resolution authorizing the Police Chief and Fire Chief to enter into a Mutual Aid Agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety, the Kleberg County Sheriff's Office, and other local, state, and federal law enforcement and fire agencies. (Police Chief).

Chief Blair stated that the Kingsville Police Department and Fire Department jointly request approval for the city to enter into a mutual aid agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety. This MOU is required under Texas House Bill 33, which mandates integrated planning, response, and investigative coordination for active attack incidents at primary and secondary school facilities in each county. The MOUR establishes a framework for shared responsibilities, joint exercises, and communications interoperability, coordinated emergency medical response, fire suppression, integration, evidence handling processes, and deployment of combined personnel, facilities, equipment, and supplies. There is no direct financial obligation associated with approving or joining this MOU.

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief and Fire Chief to enter into a Mutual Aid Agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety, the Kleberg County Sheriff's Office, and other local, state, and federal law enforcement and fire agencies, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

16. Discuss and consider approving a resolution authorizing the Police Chief to enter into a Memorandum of Agreement 287(g) Task Force Model with the United States Department of Homeland Security-Immigration and Customs Enforcement. (Police Chief).

Chief Blair stated that this is a resolution to participate in the DHS/ICE 287(g) Task Force Model Program. Through an MOA, this program provides limited, supervised federal authority to designate officers to support investigations tied to criminal activity, trafficking, and transnational crime. Participation strengthens the ongoing collaboration with DHS, U.S. Border Patrol-Kingsville Station, aligns with the Operation Lone Star missions, and enhances regional public safety efforts. There is no direct cost to the city to participate. DHS/ICE training, certification, and program oversight. An initial grant by DHS/ICE upon final approval of the MOA, KPD will be eligible for \$100,000 and an additional \$7,500 sworn officer who completes the online 40-hour 287g Task Force Officer Model Course. With a full sworn staff of 51, KPD could receive approximately \$482,500 total upon approval.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Police Chief to enter into a Memorandum of Agreement 287(g) Task Force Model with the United States Department of Homeland Security-Immigration and Customs Enforcement, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

17. Discuss and consider authorizing the Parks Director to execute an Addendum to the TeeSnap Customer Agreement with TeeSnap, LLC. (Parks Director).

Mrs. Susan Ivy, Parks Director, stated that Teesnap currently provides booking services for tee times online and website services. Current agreement allows them to book 8 players per day of golf without any fee for us in exchange for the services they are providing. The new addendum provides for an additional 4 players per day with additional web advertising services in return.

Motion made by Commissioner Alarcon to authorize the Parks Director to execute an addendum to the TeeSnap Customer Agreement with TeeSnap, LLC, seconded by Commissioner Lopez and Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

18. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the installation of a turf area around home plate at one baseball field at Dick Kleberg Park. (Parks Director).

Mrs. Ivy stated that this is a request to approve a budget amendment to appropriate \$10,500 from the necessary budget amendment line items for park field improvements. The Kingsville Pony League and Kleberg County will be funding the installation of turf areas at the home plate areas of baseball fields #4, 5, and 6 in Dick Kleberg Park. Each field costs an estimated \$10,500. This will provide a permanent turf area at home plate, replacing the red dirt area that constantly requires dirt replacement and chalking. Improvement of these areas will be a start in the improvements needed to entice tournament play to the park. Funding has been committed by Kingsville Pony League for \$10,500, plus other funding for improvements to storage and concession stands. Kleberg County will be addressing this same request at their January meeting.

Commissioner Lopez asked how this would be paid. Mr. Sosa responded that it will be paid through reserves.

Introduction item.

19. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the 2021 TASA Call for Projects- Interschool & Residential Multimodal Connectivity. (City Engineer).

Mr. Cardenas stated that this budget amendment proposes allocating funds for the 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity. The original budget for this project, as awarded by TxDOT, was listed at \$1,248,433.00. The remaining total from the awarded budget is \$0.00, and the requested \$80,076.43 is the remaining balance owed to TxDOT for the cost of preliminary engineering and construction oversight. The total amount of money used on this project was spent on making sidewalk improvements around Harvey Elementary. This improvement was to provide a safer route to school for those who use any non-motorized form of transportation. The amendment appropriates \$80,076.43 for the 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity

Introduction item.

20. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #1 for the construction contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-009-D237 Project 14: E. Santa Gertrudis Ave. storm water improvements. (work area-Santa Monica and Santa Barbara). (City Engineer).

Mr. Cardenas stated that this project includes the installation of box culverts along Santa Monica and Santa Barbara Blvd. This contract would extend for an additional 60 days.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute a Change Order #1 for the construction contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-009-D237 Project 14: E. Santa Gertrudis Ave. storm water improvements. (work area-Santa Monica and Santa Barbara), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

21. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #2 for the construction contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 10: N. Armstrong Ave. storm water improvements. (City Engineer).

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute a Change Order #2 for the construction contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 10: N. Armstrong Ave. storm water improvements, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

22. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #3 for the construction contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street- storm water improvements project. (City Engineer).

Mr. Cardenas stated that this change order is for a 90-day extension. This project is by the Jubilee School and the Kleberg County Sheriff's office.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to execute a Change Order #3 for the construction contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street- storm water improvements project, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

23. Discussion on duties, appointment, and qualifications of the City of Kingsville Ethics Review Board. (Commissioner Hinojosa).

Commissioner Hinojosa stated that the reason he asked for this to be placed on the agenda is to be sure of what the duties are for those the commission chooses to appoint to this committee. This is the first time there has been a code of ethics filed, and the city does not have a board. He stated that he also would like to know what the qualifications are that he has already seen and does not have a problem with, but he does not know if he can discuss what is in the agenda packet as he does have other questions pertaining to the agenda packet information. He further asked if that could be discussed or does it have to be placed on another agenda.

Ms. Alvarez responded that when they had met, he was talking about discussing duties, appointments, and qualifications. If his discussion is with regards to those areas, then the commission is free to proceed.

Commissioner Hinojosa stated that he does have questions in other areas on the information that is included in the agenda packet. He asked if this needed to be done at the next meeting.

Ms. Alvarez asked if his questions were related to duties, appointments, and qualifications of the board members, or if they were something unrelated to those topics.

Commissioner Hinojosa stated that it is not relating to the qualifications, its relating to what is in the packet. He stated that if he understands correctly, they are following the code of ethics of the Local Government Code Art. 5 Ch 4 and 171. Chapter 4 is public officials and 171 is conflict of interest.

Ms. Alvarez responded that there is a code of ordinance which is found in Chapter 3, under the administration section of the City of Kingsville Code of Ordinances and in Article 13 is where the code of ethics is set out. Items 3-13-1, the statement purpose all the way through the end, which the last item is 3-13-57, Severability.

Commissioner Hinojosa asked if he could ask any questions. Ms. Alvarez responded that he could ask his questions and then at that time she can determine if it falls within what has been posted on the agenda. Commissioner Hinojosa stated that what he wants to know

is what is the definition of a public official. He stated that what he interprets as to what a public official is, would be any of the commissioners, department heads, city manager, city attorney, and municipal judge.

Ms. Alvarez stated that the official term is defined in the first set of definitions which are under 3-13-2 which includes 10 categories of individuals.

Commissioner Hinojosa stated that Section 3-13-2 is not what was included in the agenda packet. What was included was 3-13-36 through 3-13-47.

Ms. Alvarez stated that Sections 36-47 are with regard to the Ethic Review Board.

Commissioner Hinojosa asked if the public official does it list all the positions of a public official.

Ms. Alvarez stated that those are all listed in the definition section, but they are not called a public official; it's just called official.

Commissioner Hinojosa asked if this is on the lobbyist.

Ms. Alvarez responded no, as he may be looking at a different set of definitions. Alvarez stated that there is a set of definitions under 3-13-2 that list official and under that it includes 10 categories of individuals, Mayor, members of the commission, municipal court judge, city manager, city secretary, all department heads and assistant department heads, assistant to the Mayor, Executive Secretary, and members of all boards, commissions, committees, and other bodies created by the city commission pursuant to federal or state law or city ordinance including entities that may be advisory only in nature and board members of any entity who are appointed by the city commission to such board membership.

Commissioner Hinojosa further asked that if there is a code of ethics filed against the City Attorney, is the City Attorney exempt, as he did not hear Ms. Alvarez say City Attorney under the definitions.

Commissioner Alvarez stated that Ms. Alvarez did say City Attorney.

Ms. Alvarez responded that regardless, she is still a department head.

Commissioner Hinojosa asked if that would fall under that. He also asked if the City Attorney would also be a public official. Ms. Alvarez responded yes. Hinojosa stated that he only wanted to verify that because the City Attorney is the complaint officer for any complaints filed under the code of ethics.

Ms. Alvarez responded yes.

Commissioner Hinojosa stated that it addresses having a third party, an attorney from outside the city, they can be appointed under the recommendation of the City Attorney. He stated that he does not know who she would make that recommendation to or does it go the board.

Ms. Alvarez responded that it is addressed in the ordinance, but this is not staying on topic with what we have posted.

Commissioner Hinojosa stated that 3-13-40 states that the city attorney is the compliant officer and it also stated under (b) independent counsel, he stated that then the city attorney can appoint an outside counsel if it falls under certain categories. He further stated that it

also says that if it falls under any of the positions mentioned, then an outside counsel needs to be appointed. This would be for the Mayor or the a member of the city commission, city employee that is a department head or that is at a higher rank. Hinojosa asked who would be at a higher rank.

Ms. Alvarez responded that it would be the city manager, city attorney or municipal court judge. Those three positions would be a higher rank than department heads.

Commissioner Hinojosa asked that as the complaint moves up, they would be following the ordinance. (Held up a copy of the ordinance that was included in the agenda packet).

Ms. Alvarez responded yes.

Commissioner Hinojosa stated that he knows that the complaint is confidential and only two people that know about it at this time, City Attorney and City Secretary. He asked that at what point the complaint stops being confidential? Until it goes all the way up through the process? As eventually it will come to the city commission for approval, based on what the board decides. Based on the information or the evidence they are able to collect. Which in this case the City Attorney will be in charge of that.

Ms. Alvarez responded that she would assist the board in whatever the board asks or need assistance with. The board itself would control the process with regards to the complaint. The board with regards to disposition could either dismiss, make a recommendation of dismissal or make a recommendation for action, recommendation for a civil remedy which would then come before the city commission for consideration, or they can make a recommendation for criminal prosecution which would then go to the law enforcement agency.

Commissioner Hinojosa stated that the commission is going to ask somebody to be part of this board and they need to know what they are getting into, what are the duties and looking forward to be. He further stated that social media can kill us, he believes it was Albert Garcia saying that they appoint people to boards, but there is no training. At what point in time will they get any training or will they get any training as to what they are supposed to do or follow and who will do the training. Hinojosa stated that it is hard as he will have to go and get someone and ask them if they would like to serve on this board and if he is asked what the duties are, he wouldn't know what to tell them. He stated that he would like to get someone to serve on the board that will be able to follow the duties.

Ms. Alvarez responded that this board, as with any other board, have the staff liaison that is responsible with working with the board, train any board member, as the staff liaison for this board one would be training anybody that is appointed to the board to help guide them with regard to the roles and responsibilities as she is sure every director does for their board when they have a new member.

Commissioner Hinojosa stated that this is a very sensitive board. He stated that this is where he is at a loss, he understands that someone has to give them some type of direction based on the complaint and confidentiality. Bringing in a board where now instead of two people knowing now there will be seven. At one point in time the information will need to be disclosed to the board. He stated that it is hard for him to be able to appoint somebody at this point plus the other thing hanging over his head is the recall. He further stated that he would rather wait until the recall is behind us, before he appoints somebody. He stated that those are the two things that bother him about this board at this time.

Commissioner Alvarez asked, for clarification, that the board could dismiss or whatever, and asked if what Ms. Alvarez meant with regards to dismiss is to dismiss the complaint and not the person.

Ms. Alvarez responded that it is an advisory board.

Commissioner Alvarez further asked if it would come back to the city commission, comes back the decision of the ethics review board comes to the commission to make the final decision. She further stated that this city was established in 1904 and there has never been an ethics committee so why all of a sudden do we have to do this as it is very complicated and there is more than two people that know about this complaint, as she thinks that the whole town knows about who the complaint is. She further stated that she doesn't know why the city is looking into doing this as the city has survived all this time without one and why even having to have one know.

Commissioner Alarcon stated that the city has all the other boards, these boards are all public and they use the Community Room for meetings. Alarcon asked what would happen with the Ethics Review Committee when they meet? Will their meeting be made public?

Ms. Alvarez responded that this is addressed in the code of ordinances as well, not sure if it falls under duties, appointments, or qualifications, but there is a level of discretion within board meetings and that is covered in the ordinance advisory opinions are provided to the city commission and those would be public records.

Mayor Fugate commented that what may help the city commission is if the city attorney would develop a qualifications, duties and responsibilities of these members, just do a summary of that. He further stated that it may assist. He further stated that the first question they will get from someone they asked to serve on this board will be what are the duties.

Ms. Alvarez responded to review complaints that are received that qualify under this particular ordinance.

Mayor Fugate asked Ms. Alvarez to draft up a summary, it would probably help. Commissioner Hinojosa commented that he would like to see in that summary the packet that was included in the agenda. This way they will no the ins and outs

Ms. Alvarez responded yes, it was included in the agenda packet as well, as per Commissioner Hinojosa's request.

24. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Ms. Alvarez stated that an executive session is not needed at this time.

VI. Adjournment.

As there was no further business to come before the City Commission, the meeting was adjourned at 6:20 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1



Pub. Hrg.

MEMO

Date: January 22, 2026

To: Charlie Sosa (City Manager)

From: Manny Salazar (Economic Development and Interim Planning Director)

Subject: The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to approve an alcohol variance for a Wine and Malt Beverage Retail Dealer's Off Premise establishment known as 6th Street Bar and Patio, located at 1115 South 6th Street, Kingsville Texas 78363.

Summary: On December 22, 2025, Albert Alvarez applicant, 6th Street Bar and Patio, owner, requested an alcohol variance for a Wine and Malt Beverage retailers Off Premise establishment known as 6th Street Bar and Patio, located at 1115 South 6th Street, Kingsville Texas 78363.

Background: One church, "The Kingsville Christian Church/The Door Christian Fellowship Church" is located within 300' of this proposed establishment. 17 letters were sent out; the city has received no concerns as of today.

The department recommends approval.

Manny Salazar
Economic Development and Interim Planning Director



CITY OF
KINGSVILLE
MEMORANDUM

DATE	December 29, 2025
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 1115 S. 6th St

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1115 S. 6th St., we have concluded that the property in question does fall within the 300 ft boundary of a Church & School; therefore, it will require a variance according to State codes and City Ordinance § 11-3-4, which was adopted on April 9, 2018.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,
Engineering Department

Attachment 1 (map) shows the property and the relative location of the 1 Church, Property ID 10916; suspected to be close to the property. THE KINGSVILLE CHRISTIAN CHURCH/The Door Christian Fellowship Church is within the 300 foot boundary.

Attachment 1 (map) also shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.



TEXAS ALCOHOLIC
BEVERAGE COMMISSION
Texans Helping Businesses & Protecting Communities

received

12.22.2025

Required
Certifications

Join TABC in the fight against human trafficking

L-CERT (7/2025)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.

Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.)				6th St. BAR and PATIO							
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.)				Albert ALMAREZ							
3. Type of Owner				<input type="checkbox"/> Corporation		<input type="checkbox"/> Limited Liability Company		<input type="checkbox"/> Partnership		<input checked="" type="checkbox"/> Other: Owner	
4. Location Address				1115 S. 6th St.							
5. Mailing Address				City Kingsville		County Kleberg		State TX		Zip Code 78363	
6. Business Telephone Number				Alternate Telephone Number		E-mail Address		AlbertAlmarez2002@gmail.com			
7. Application for:				<input type="checkbox"/> Reinstatement		<input type="checkbox"/> License/Permit Number		<input type="checkbox"/> Reinstatement and Change of Trade Name		<input type="checkbox"/> License/Permit Number	
				<input type="checkbox"/> Change of Location		<input type="checkbox"/> License/Permit Number		<input type="checkbox"/> Change of Location and Trade Name		<input type="checkbox"/> License/Permit Number	
8A. Type of Off-Premise Retailer License/Permit:											
<input checked="" type="checkbox"/> BF Retail Dealer's Off-Premise License				<input type="checkbox"/> E Local Cartage Permit		<input type="checkbox"/> P Package Store Permit					
<input type="checkbox"/> BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit				<input type="checkbox"/> ET Third-Party Local Cartage Permit		<input type="checkbox"/> Q Wine Only Package Store					
<input type="checkbox"/> LP Local Distributor's Permit				<input type="checkbox"/> LH Late Hours Certificate							
8B. Type of On-Premise Retailer License/Permit:											
<input type="checkbox"/> BE Retail Dealer's On-Premise License				<input type="checkbox"/> E Local Cartage Permit		<input type="checkbox"/> MB Mixed Beverage					
<input type="checkbox"/> BG Wine and Malt Beverage Retail Dealer's On-Premise Permit				<input type="checkbox"/> FB Food and Beverage Certificate		<input type="checkbox"/> WP Waterpark Permit					
<input type="checkbox"/> BP Brewpub License				<input type="checkbox"/> LH Late Hours Certificate							
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit:											
<input type="checkbox"/> BB General Distributor's License				<input type="checkbox"/> D Distillers and Rectifiers Permit - allows on-premise consumption		<input type="checkbox"/> S Nonresident Seller's Permit					
<input type="checkbox"/> BC Branch Distributor's License				<input type="checkbox"/> DS Out-of-State Winery Direct Shipper's Permit		<input type="checkbox"/> SD Brewer's Self-Distribution License					
<input type="checkbox"/> BN Nonresident Brewer's License				<input type="checkbox"/> G Winery - allows on-premise consumption		<input type="checkbox"/> W Wholesaler's Permit					
<input type="checkbox"/> BW Brewer's License				<input type="checkbox"/> J Bonded Warehouse		<input type="checkbox"/> X General Class B Wholesaler Permit					
<input type="checkbox"/> JD Bonded Warehouse (Dry Area)											
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location:											
<input checked="" type="checkbox"/> Bar		<input type="checkbox"/> Grocery/Market		<input type="checkbox"/> Package Store		<input type="checkbox"/> Sexually Oriented					
<input type="checkbox"/> Civic Center		<input type="checkbox"/> Hotel		<input type="checkbox"/> Public Entertainment Fac. (PEF as defined in Sec. 108.73)		<input type="checkbox"/> Sporting Arena					
<input type="checkbox"/> Convenience Store		<input type="checkbox"/> Motel		<input type="checkbox"/> Racetrack							
<input type="checkbox"/> Delivery Company		<input type="checkbox"/> Movie Theater		<input type="checkbox"/> Restaurant							

Alcohol Permit - 1115 S. 6th St / Prop ID: 25876



Page: 1 / 1	Drawn By: R. PICK
	Last Update: 12/29/2025
	Note: Ownership is labeled with its Prop ID.

DISCLAIMER:
THIS MAP IS FOR VISUAL PURPOSES ONLY.
THE INFORMATION ON THIS SHEET MAY
CONTAIN INACCURACIES OR ERRORS.
THE CITY OF KINGSVILLE IS NOT
RESPONSIBLE IF THE INFORMATION
CONTAINED HEREIN IS USED FOR ANY
DESIGN, CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 W King Ave; Kingsville, TX 78363
Office: (361) 595-8007
Fax: (361) 595-8064

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing to discuss and may take action at a meeting on Monday, February 09, 2026, at 5:00 P.M. regarding the following item:

Request for an alcohol variance for a BF Retail Dealer's Off-Premise License for the establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

From Bishop to the ring

Skalli, Furiosa compete in AKC sanctioned dog show

By Fred Salinas
Contributing Reporter

Bishop resident Angelic "Angie" Delgado recently participated in a dog show hosted by the Corpus Christi Kennel Club held at the San Patricio Fairgrounds on Jan. 8-11 in Sinton.

The superintendent of the show was Onofrio Dog Shows and it was officially an American Kennel Club (AKC) sanctioned event.

Delgado showed two dogs over the weekend, an almost 2-year-old female American Hairless Terrier named Skalli and a 4-year-old standard poodle named Furiosa.

Skalli was awarded Best Female all four days and took Best of Winners on one of the days.

Furiosa earned Best of Breed Owner Handler two of the four days. Furiosa is already an AKC Champion and a National and International Champion.

"Skalli is young and still learning the ropes of showing. She has a promising future and I have no doubt she will be a finished champion just like Furiosa," Delgado said.

Delgado has been showing standard poodles since 2019 and just recently started showing American hairless terriers this past year.

She is planning on competing in a dog show hosted by the Fort Worth Kennel Club on March 21-22 at the Will Rogers Memorial Coliseum in Fort Worth.

Delgado keeps busy between shows with her small dog and cat grooming business.



Bishop resident Angie Delgado and her show dog Skalli strut their stuff for the judge at the Corpus Christi Kennel Club dog show held at the San Patricio Fairgrounds in Sinton. (Photo by Fred Salinas)



Handler Angie Delgado shows Furiosa, a 4-year-old standard poodle, at the Corpus Christi Kennel Club dog show held at the San Patricio Fairgrounds in Sinton recently. (Contributed photo)

Lady Seahawks remain undefeated in district

By Ted Figueroa
Reporter

Last Tuesday, The Riviera Lady Seahawks took care of business at Santa Maria with a 54-13 solid district win.

Zariah Gonzalez led the team with 21 points, Jaymie Ten-Cate added 15, Morgan Butler scored six, and Alyssa Bursiel and Eliana Abrego each finished with four.

Head Coach Elias Arredondo praised the defensive playing on the night.

"I continue to be impressed by the defensive depth of this team. While we are still working to find consistency within our offensive scheme, our defensive strategy is creating plenty of opportunities. I'm looking forward to continued improvement," Arredondo said.

The Lady Seahawks also defeated Ben Bolt last Friday night 39-27. Kaufner has now won eight straight games and finished the first round of district play undefeated at 6-0. They are currently 6-0 in district and 14-6 overall.

Against Ben Bolt, the Lady Seahawks never fell behind. During the first quarter, they jumped out early, leading 12-4. By halftime Riviera had a 20-10-point advantage. In the third they extended their lead 29-13. During the fourth



Angelica Ortega in action for the Lady Seahawks against Ben Bolt. (Contributed photo)

quarter, Ben Bolt outscored Riviera 14-10, but the early deficit was too much to overcome.

Arredondo broke down some key components of the game.

"Kaufner's defensive pressure was a key factor, holding Ben Bolt to single-digit scoring in three of four quarters.

Zariah Gonzalez anchored the

defensive effort with 10 steals. Jaymie Ten-Cate, Maysyn Bispert, Morgan Butler, and Angelica Ortega all contributed in key stretches as Kaufner used multiple lineup combinations throughout the game," Arredondo said.

The Lady Seahawks will be on the road this Friday to take on Agua Dulce and hope to stay undefeated in district.



The Lady Brahma Power Lifting Team earned first place overall at Mathis Invitational. (Contributed photo)

Lady Brahma Powerlifting takes first place at Mathis Invitational

By Ted Figueroa
Reporter

The Lady Brahma Powerlifting team dominated and took first place overall at the Mathis Invitational Meet last week. Head Coach Aidee Amaya said her athletes earned the achievement through hard work, confidence, heart, and grit, representing our program with pride and excellence," Amaya said.

"Our team dominated their second meet of the season, earning first place overall as a team. Every lift, every medal, and every point reflected the dedication, sacrifice, and belief these athletes

have in themselves and each other. While this win was amazing, we'll be back in the weight room to tighten up a few things and continue improving. This achievement did not happen by chance, our athletes earned it through hard work, confidence, heart, and grit, representing our program with pride and excellence," Amaya said.

In the 114-weight class, Kaelynn Morales earned first place. In the 123-weight class, Azzanne Chevare took third place. In the 132-weight class, Skylar Salazar earned third place and Miranda Marti-

nez took fourth place. In the 148-weight class, Nevash Calzada earned first place and Rhynna Vela took third place. In the 165-weight class, Sofia Gomez earned fourth place. In the 198-weight class, Josie Garcia earned first place. In the 220-weight class, Giana Selby took first place and in the 242+ weight class, Sulzy Ramirez earned first place.

"We are so proud of every member of the Lady Brahma team for continuing to raise the standard, trusting the process, and showing up to put in the work," Amaya said.

PUBLIC NOTICE

On January 12, 2026, the Kingsville City Commission had public hearings and action items to consider condemnation of structures on the following properties. The City Commission found the structures on each of the properties to be dangerous, unsafe, in violation of city ordinances, unable to be corrected without substantial expense of reconstruction, and a public nuisance. The Commission ordered the property owner/agent/person in charge of each of the properties to demolish the structures within 30 days:

619 W. Ragland, Kingsville, Texas
728 W. Dodridge (shed), Kingsville, Texas

A copy of each order can be obtained from the City Secretary at City Hall (400 W. King Avenue, Kingsville, Texas) or by mailing her at P.O. Box 1458, Kingsville, Texas 78364.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing to discuss and may take action at a meeting on Monday, February 09, 2026, at 5:00 P.M. regarding the following item:

Request for an alcohol variance for a BF Retail Dealer's Off-Premise License for the establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, City Manager
FROM: John Blair, Chief of Police
DATE: November 25, 2025
SUBJECT: Tractor Supply Foundation donation

Summary:

The Kingsville Police Department respectfully requests approval to accept a donation in the amount of \$250.00 from the Tractor Supply Foundation Fund.

Background:

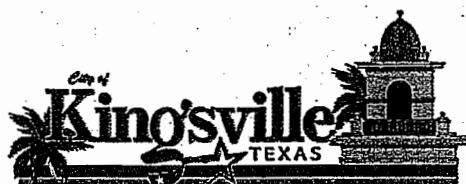
Each year the Tractor Supply Foundation through the Hometown Hero's program, donates funds to local first responder organizations.

Financial Impact:

There is no financial impact. This donation will be used to help purchase items for our Blue Santa event.

Recommendation:

We request approval from the commission to accept the Tractor Supply Foundation Fund in the amount of \$250.00



ORDINANCE NO. 2026-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025-2026 BUDGET TO ACCEPT AND EXPEND A DONATION FROM THE TRACTOR SUPPLY FOUNDATION TO HELP WITH POLICE DEPARTMENT'S BLUE SANTA EVENT.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2025-2026 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#17

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001- General Fund					
Revenues-4					
2102	Police	Donations	72030	\$250	
Expenditures-5					
2102	Police	Professional Services	31400	\$250	

[To amend the City of Kingsville FY25-26 budget to accept and expend a donation from the Tractor Supply Foundation to help with the Police Department's Blue Santa Event. Funding for this request will come from the donation for the stated purpose.]

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission

that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 12th day of January 2026.

PASSED AND APPROVED on this the 9th day of February 2026.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: Susan Ivy, Director of Parks & Recreation

DATE: December 18, 2025 –

SUBJECT: Agenda Request – Budget amendment for Baseball Field 4,5,6 Turf HomePlate Areas

Summary: Request to approve a budget amendment to appropriate \$10,500 from Necessary Budget Amendment line items to Parks field improvement line item 001-5-4503-__ to match Kingsville Pony League and Kleberg County funding to place turf areas at the home plate areas of baseball field # 4,5,6 in Dick Kleberg Park. Each field cost estimated at \$10,500.

History: This will provide a permanent turf area at home plate replacing red dirt area that constantly needs dirt replacement and chalking frequently. Improvement of these areas will be a start in improvements needed to entice tournament play to the Park. Funding has been committed by Kingsville Pony League in the amount of \$10,500 plus other funding for improvements to storage and concession stands. Kleberg County will be addressing this same request at their January meeting.

Recommendation: Approve the budget amendment to allocate funds for the installation of turf at one of 3 baseball fields in Dick Kleberg Park.



ORDINANCE NO. 2026-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025-2026 BUDGET TO APPROPRIATE FUNDING FOR THE INSTALLATION OF A TURF AREA AROUND HOME PLATE AT ONE BASEBALL FIELD AT DICK KLEBERG PARK.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2025-2026 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#18

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001- General Fund					
	<u>Expenditures-5</u>				
1030	City Special	Budget Amend Reserve	86000		\$10,500
4503	Park Maint	Parks-Capital Projects	71201	\$10,500	

[To amend the City of Kingsville FY25-26 budget to appropriate funding for the installation of a turf area around home plate at one baseball field at Dick Kleberg Park. Funding for this request will come from the GF budget amendment reserve line item.]

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 12th day of January 2026.

PASSED AND APPROVED on this the 9th day of February 2026.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Charlie Cardenas, P.E., City Engineer

DATE: December 22, 2025

SUBJECT: Consider Introduction of an Ordinance Amending the Fiscal Year 2020-2021 Budget to Appropriate Additional Funding for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity

Summary:

The Budget Amendment proposes allocating funds for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity. The original budget for this project as awarded by TxDOT was listed at \$1,248,433.00. The remaining total from the awarded budget is \$0.00 and the requested \$80,076.43 is the remaining balance owed to TxDOT for the cost of preliminary engineering and construction oversight. The total amount of money used on this project was spent making sidewalk improvements around Harvey Elementary. This improvement was to provide a safer route to school for those who use any non-motorized form of transportation.

Financial Impact:

The amendment appropriates \$80,076.43 for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity

Recommendation:

Staff recommends approval of the Budget Amendment to fund the necessary for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity

Attachments:

Ordinance No. 2025-_____



**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 260676 Date: 12/04/2025
Requisition #: REQ33605 Vendor #: 5166

ISSUED TO: TEXAS DEPARTMENT OF TRANSPORTATION
1701 South Padre Island Drive
Corpus Christi, TX 78416-

SHIP TO: Engineering
Attn: Charlie Cardenas
400 W King
Kingsville, TX 78363

12/04/25

LOC00087380

ITEM	UNITS	DESCRIPTION	GLACCT#	PROJ/ACCT#	PRICE	AMOUNT
1	0	Safe Routes to School	100-5-3050-52100		0.00	80,076.43

Authorized by:

SUBTOTAL:	80,076.43
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	80,076.43

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
3. C.O.D. shipment will not be accepted.
4. Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
5. All goods are to be shipped F.O.B. Destination unless otherwise stated.
6. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
7. All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
8. Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
9. Seller acknowledges that the buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
10. The City is exempt from all federal excise and state tax - ID# 74-6001513



125 E 11th St | Austin, Texas 78701
512.463.8588
txdot.gov

FIRST DEMAND LETTER
November 20, 2025

City of Kingsville
P.O. Box 1458
Kingsville, TX 78364

Invoice #: LOC00087380 ✓
Project ID: 16091602022 ✓
Customer ID: 022350
Past Due As Of: 11/13/2025
Amount Past Due: \$80,076.43 ✓

To Whom It May Concern:

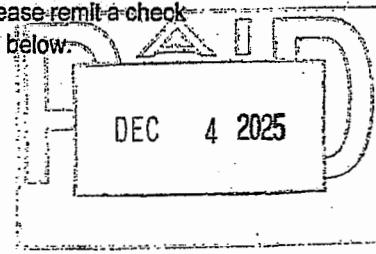
A request for additional funds was made on 10/14/2025 in accordance with the terms of the agreement negotiated with the State.

Our records indicate the enclosed invoice has not been paid and is now overdue. Per the enclosed copy of Texas Administrative Code Title 43, Part 1, Chapter B, Subchapter B, Rule §5.10, delinquent accounts, not resolved in a timely manner, will be referred to the Office of the Attorney General of Texas for collection.

Upon receipt of this letter, and no later than 30 days from the above letter date, please remit a check made payable to the "Texas Department of Transportation" to the address shown below.

Forward all payments to:

Texas Department of Transportation
ATTN: Financial Management - Accounts Receivable
125 E 11th St.
Austin, TX 78701



To ensure proper credit to your account, please include the above referenced Project ID on all payments and/or correspondence. For clarity and tracking purposes, it is strongly suggested that this payment not be combined with any other transactions to TxDOT.

If you feel the invoice is in error, please immediately communicate with the district contact listed the Statement of Cost.

Sincerely,

Financial Management Division

STATEMENT OF COST
City of Kingsville

	PRELIMINARY	CONSTRUCTION		
	ENGINEERING	CONSTRUCTION	ENGINEERING	TOTAL
STP 2022(086)SRS				
0916-02-022	\$ 260,941.57	\$ 722,987.29	\$ 89,996.55	\$ 1,073,925.41

	% Participation	
Preliminary Engineering Portion Funded by Entity	0.00%	
Preliminary Engineering Portion Funded by Entity (Over Federal Max)	100.00%	159,238.17
Construction Portion Funded by Entity	0.00%	
Construction Portion Funded by Entity (Over Federal Max)	100.00%	18,467.29
Construction Engineering Portion Funded by Entity	0.00%	
Construction Engineering Portion Funded by Entity (Over Federal Max)	100.00%	16,021.95
Indirect Costs Funded by Entity	0.00%	
Total Amount Chargeable to Entity		193,727.41

Advanced Cash Payments	113,650.98	
Less: Amount Chargeable	<u>(193,727.41)</u>	
Amount of Refund Due to Local Entity	<u>(80,076.43)</u>	

Certified Correct:

DocuSigned by:

7638AAE3A9B2492...

10/7/2025

ORDINANCE NO. 2026-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025-2026 BUDGET TO APPROPRIATE FUNDING FOR THE 2021 TASA CALL FOR PROJECTS – INTERSCHOOL & RESIDENTIAL MULTIMODAL CONNECTIVITY.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2025-2026 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#19

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 100 – TASA Grant Project					
	<u>Expenditures-5</u>				
3050	Street	Street & Bridge	52100	\$80,076.43	

[To amend the City of Kingsville FY25-26 budget to appropriate funding for the 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity. Funding for this request will come from the unappropriated fund balance of Fund 100.]

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 12th day of January 2026.

PASSED AND APPROVED on this the 9th day of February 2026.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

Courtney Alvarez

From: Commissioner Lopez <elopez@kingsville.onmicrosoft.com>
sent: Tuesday, January 13, 2026 8:24 AM
To: Charlie Sosa; Courtney Alvarez; Mary Valenzuela
Subject: Correct Way to Appoint

Please read the process for appointing citizens to our Boards. This shows TRANSPARENCY! Gives all our citizens a chance to participate in the process.

On May 14, 2024, Krystal Emery requested an in-person meeting with Mark McLaughlin to express her interest in volunteering for an open board position. Mark recommended the open Planning & Zoning Commission vacancy and asked that she formally email her interest in applying, along with her résumé, for submission to the City Commissioners for review. Krystal sent the requested information that evening to the citymanager@cityofkingsville.com email address, and CC'd City Secretary Mary Valenzuela.

The following day, May 15, 2024, the Planning & Zoning Commission held a regular meeting, which Krystal attended. During that meeting, Mark introduced her to the Board, and the members unanimously supported her appointment as the final member, as documented in Mark's May 20, 2024 memo (page 112 of the June 10, 2024 Agenda Packet).

On June 10, 2024, Agenda Item 10 of the Regular Agenda read as follows:

"10. Consider appointing Krystal Emery to the Planning & Zoning Commission for a two-year term. (City Manager)."

The following information is taken directly from the June 10, 2024, Commission Minutes, Page 4: "Motion made by Commissioner Hinojosa to approve the appointment of Krystal Emery to the Planning & Zoning Commission for a two-year term, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting " FOR"."

Krystal's term began in June 2024 and is set to expire in June 2026.

The memo presented at the January 12, 2026, meeting contains incorrect term information, and Krystal's last name is spelled incorrectly in the subject line and body. Please correct those items for the next meeting.

FYI- there were several typos in the names of the Board members being reappointed in the Agenda of Jan 12, 2026 (Brian Coufal, Krystal Emery, & Linda Castaneda).

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City Manager's Office

TO: Mayor and City Commissioners

CC:

FROM: City Manager

DATE: May 20, 2024

SUBJECT: Memo for Agenda Item IRT Appointment of Krystal Emery to the Planning and Zoning Commission

Summary:

The City of Kingsville Planning and Zoning Commission consists of a seven-member board. Current members are:

1. Steve Zamora – Chairman
2. Mike Klepac
3. Debbie Tiffey
4. Larry Garcia
5. Brian Coufal
6. Rev. Idotha Battle
7. VACANT POSITION

Mr. Emery approached me with a request to volunteer her services to an open board position. I proposed Ms. Emery to the P&Z Board and they were unanimous in their support for her to fill the vacant seventh and final position to the board for a two-year term.

Costs:

- a. None to the City for this action item.

Recommendation:

- a. City Manager is recommending City Commission approval for the appointment of Ms. Krystal Emery to the City of Kingsville Planning and Zoning Commission for a two-year term (June 2024-June 2026).



AGENDA ITEM #5



City of Kingsville Health Department

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

Courtney Alvarez, City Attorney

FROM: Emilio H. Garcia, City of Kingsville, Health Director

DATE: January 20, 2026

SUBJECT: Re-appointment of Health Board Member

Summary: Please be advised that the Health Board Member Norma Sue Adrian term will expire on February 13, 2026. I have spoken with Norma Sue Adrian, and she has agreed to remain on the Board for another 3-year term (2026-2029). It is my recommendation that Norma Sue Adrian be re-appointed to the City of Kingsville Health Board.

Background: Ms. Norma Sue Adrian has served on the City of Kingsville-Health Board for 3 years and would like to be re-appointed for another 3 years.

Financial Impact: None.

Recommendation: I am requesting that the City Commission consider their re-appointment at the next Regular Commission meeting. Approval request.

AGENDA ITEM #6

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TEXAS 78364



Date: January 20, 2026

To: City Commission via City Manager Mark McLaughlin

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Connie Womack, Tourism Director

Re: Reappointment of Members to Kingsville Main Street Advisory Board

Summary: The Main Street Advisory Board was created in 2017 by City of Kingsville City Commissioners. The board meets monthly to develop and make recommendations to the City Manager regarding the Main Street District.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager. The board consists of seven members: four Downtown Merchant representatives, two Community representatives and one Texas A&M University-Kingsville representative.

Lupe Ruiz, Resident of Kingsville representative

Gloria Bigger-Cantu, Resident of Kingsville representative

Elaine Jameson, Downtown Merchant representative

Sylvia Molina, Downtown Merchant representative

Rose Morales, Downtown Merchant representative

All members listed above are still eligible representatives in their respective category and have agreed to serve another two-year term on the board.

Fiscal Impact: None.

Recommendation: Reappoint Lupe Ruiz and Gloria Bigger-Cantu as Community representatives for a two-year term. Reappoint Elaine Jameson, Sylvia Molina, and Rose Morales as Downtown Merchant Representatives for a two-year term. All reappointments for the Main Street Advisory Board.

AGENDA ITEM #7



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: January 20, 2026

To: City Commission via City Manager Charlie Sosa

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Connie Womack, Director of Tourism Services

Summary: The Hotel Occupancy Tax Advisory Board was created in 2016 by the City of Kingsville City Commissioners. The board meets quarterly and makes recommendations for activities, programs and expenditures authorized by state tax code guiding appropriate use of occupancy tax funds.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager. The board consists of seven members: two Hotel Industry representatives, one King Ranch representative, one Main Street Merchant representative, one Texas A&M University-Kingsville representative, one Conner Museum representative and one resident.

Kathy Pawelek, representative from Conner Museum, has served on the HOT Board since November 8, 2021. She is still an eligible representative and has agreed to serve another two-year term on the board.

Financial Impact: None

Recommendation: Reappoint Kathy Pawelek as the Conner Museum representative for a two-year term. This recommendation is for the Hotel Occupancy Tax Fund Advisory Board.

AGENDA ITEM #8

**City of Kingsville
Legal Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Courtney Alvarez, City Attorney
DATE: February 9, 2026
SUBJECT: 21st Annual Ride on the Wild Side Charity Bike Event

Summary:

The Noon Lion's Club is seeking the City's sponsorship in the Annual Ride on the Wild Side charity bike tour that occurs partly through the City and the King Ranch on April 25, 2026. This will be the 21st year the City has participated in this event. Proceeds from this charity bike ride benefit the Lion's Disabled Children's Camp in Kerrville, of which Kingsville disabled children directly benefit.

Background:

The Noon Lion's Club requests the City participate by allowing the use of city streets for the tour, providing cones and one police officer to escort the riders as they go through town (if needed), and having an ambulance on stand-by for the event. The City's participation will provide a means to obtain an insurance rider, which is required by the Ranch. The bike route will be well staffed with Noon Lion's Club volunteers and other volunteers as well.

While the April 2020 bike event (which was to be the 17th year of the ride) was approved by the City Commission and the King Ranch, it could not be held due to the start of the COVID pandemic. No event was scheduled for 2021. Accordingly, the Noon Lion's Club started the event up again in 2022, which became the 17th year the ride was held.



**City of Kingsville
Legal Department**

The Noon Lion's Club requests the City participate by allowing the use of city streets for the tour, providing cones and one police officer to escort the riders as they go through town (if needed), and having an ambulance on stand-by for the event. The City's participation will provide a means to obtain an insurance rider, which is required by the Ranch. The bike route will be well staffed with Noon Lion's Club volunteers and other volunteers as well. Proceeds from this charity bike ride benefit the Lion's Disabled Children's Camp in Kerrville, of which Kingsville children directly benefit.

Also, as was done previously, the King Ranch is requesting the City execute the attached Permission and Indemnity Agreement for this year's bike ride as well.

Financial Impact: None.

Recommendation: Authorize participation in the event and approve execution of the Indemnity Agreement with the King Ranch.



RESOLUTION # 2026—

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE PERMISSION AND INDEMNITY AGREEMENT WITH THE KING RANCH, INC. FOR THE 21st ANNUAL RIDE ON THE WILD SIDE CHARITY BIKE EVENT; REPEALING ALL CONFLICTING RESOLUTIONS.

WHEREAS, the City of Kingsville ("City") has previously participated in the Noon Lion's Club charity bike ride called the Ride on the Wild Side whose proceeds assist with sending local disabled children to the Lion's Disabled Children's Camp in Kerrville, Texas in the summer;

WHEREAS, the Noon Lion's Club is seeking the City's sponsorship in the 21st Annual Ride on the Wild Side charity bike tour through the King Ranch on April 25, 2026 by allowing the use of city streets for the ride, providing cones and one police officer to escort the riders as they go through town (if needed), and having an ambulance on stand-by for the event;

WHEREAS, part of the bike ride goes through the King Ranch, the Ranch requires a Permission and Indemnity Agreement be executed between the City and the Ranch each year;

WHEREAS, the King Ranch is requesting the City execute the attached Permission and Indemnity Agreement for this year's bike ride as well;

WHEREAS, the bike ride is also a popular tourist attraction bringing visitors to the City;

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission of the City of Kingsville authorizes the Mayor to execute on behalf of the City the Permission and Indemnity Agreement between the City of Kingsville and the King Ranch, Inc., a copy of which is attached hereto, for the 21st Annual Ride on the Wild Side Charity Bike event.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

PERMISSION AND INDEMNITY AGREEMENT

In consideration for King Ranch, Inc.'s permission (evidenced by its execution below) for a portion of the Ride On The Wild Side Charity Bike Ride (or similarly named event) [“Bike Ride”] (with participation/sponsorship by the Kingsville Noon Lions Club & the City of Kingsville) to be held on the premises of King Ranch, Inc. on or about April 25th of 2026, the sufficiency and adequacy of which consideration is hereby acknowledged, the City of Kingsville, Texas, hereby unconditionally and irrevocably agrees to defend, indemnify and hold harmless King Ranch, Inc., its directors, employees, shareholders and agents from and against any and all claims based on, or arising out of, personal injury (including death) to, and/or property damage of, any of the participants, support personnel or other individuals participating in, observing as by-stander of, or providing organizational or other support or safety services for, the above Bike Ride, including the arrival to or departure from the above Bike Ride and all other ancillary and related activities related to the Bike Ride. **The foregoing defense, indemnity and holding harmless shall apply in full force and effect despite any sole, joint or concurrent negligence, strict liability or other fault of any of the above indemnified persons.**

At least 30 days prior to the Bike Ride, the City of Kingsville shall provide a certificate of insurance to King Ranch, Inc. in a form and from an insurer acceptable to King Ranch, Inc. showing contractual indemnity insurance coverage in the amount of at least \$5,000,000 per claim or occurrence for general liability, automobile liability and law enforcement liability, to cover this contractual indemnity agreement. Such certificate shall require the insurer to provide King Ranch, Inc. at least 30 days prior written notice of any change, deletion or expiration to such coverage and terms and such insurance and certificate shall indicate that such coverage for the contractual indemnitees is primary and shall respond without contribution from any other insurance of such indemnitees.

The Bike Ride's sponsors shall obtain and provide King Ranch, Inc. waivers of liability, on forms approved by King Ranch, Inc., executed by all Bike Ride participants in the Bike Ride.

Executed this ____ day of _____, 202____.

City of Kingsville, Texas, by:

King Ranch, Inc.

Name

Name

Title

Title

WAIVER & RELEASE

In consideration for my participation in the bicycle tour event known as "A Ride on the Wild Side" which will be held Saturday, April 25, 2026, on King Ranch and areas in and around Kingsville, Texas, I hereby agree to this Waiver and Release. I fully realize the dangers of participating in a bicycle ride and fully assume the risk associated with such participation, including by way of example and not limitation, the following: the danger of collision with pedestrians, vehicles, other riders and fixed and moving objects; the danger rising from surface hazards, equipment failure, inadequate safety equipment, and weather conditions; and the possibility of serious physical and/or mental trauma or injury associated athletic cycling participation. I hereby waive, release and discharge for myself, my heirs, executors, administrators, legal representatives, signers, successors in interest any rights and claims which I have or which may hereafter accrue to me against the sponsors of this event, the organizers, and any promoting organizations, property owners (including King Ranch Inc. and its directors, employees, shareholders, and agents), law enforcement agencies, all public entities, special districts, and the Kingsville Noon Lions Club, through or by which the event will be held for any and all claims (**including those caused by the Negligence and Gross Negligence of such released persons**) for all damages arising out of personal injury (including death) or property damage which may be sustained by me directly or indirectly in connection with the event, or travel to or return from the event. I agree it is my sole responsibility to be familiar with the ride and operation of my bicycle so as to neither endanger others or myself. I accept responsibility for the condition and adequacy of the equipment I use to participate in the charity bicycle ride and I will wear an ANSI approved helmet at all times while riding my bicycle during such ride. I have no physical or mental condition which, to my knowledge, would endanger others or myself if I participate in this event. I understand and agree that I will be financially responsible for any loss or damage caused by my actions during the event. I further understand and agree with all the terms and conditions of this Waiver and Release.

I have read and I agree to the stated terms and conditions above.

Signature: _____

Date: _____

Parent or Guardian if under 18:

I have read and agree to the stated terms and conditions above and hereby acknowledge the authorization for my: _____, Relationship _____

Name: _____ to participate in this event. I also authorize the medical treatment for any injuries sustained during this bicycle tour on King Ranch and areas in and around Kingsville, Texas.

Signature: _____

Date: _____ Phone: _____

Options to return form:
Complete form online and type
name in lieu of signature.
Save and upload this release
with registration form.

Scan & Email to:
arotws@gmail.com

Register Online:
arideonthewildside.org

REGULAR AGENDA

AGENDA ITEM #9

MEMO

Date: January 22, 2026

To: Charlie Sosa (City Manager)

From: Manny Salazar (Economic Development and Interim Planning Director)

Subject: The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to approve an alcohol variance for a Wine and Malt Beverage Retail Dealer's Off Premise establishment known as 6th Street Bar and Patio, located at 1115 South 6th Street, Kingsville Texas 78363.

Summary: On December 22, 2025, Albert Alvarez applicant, 6th Street Bar and Patio, owner, requested an alcohol variance for a Wine and Malt Beverage retailer's Off Premise establishment known as 6th Street Bar and Patio, located at 1115 South 6th Street, Kingsville Texas 78363.

Background: One church, "The Kingsville Christian Church/The Door Christian Fellowship Church" is located within 300' of this proposed establishment. 17 letters were sent out; the city has received no concerns as of today.

The department recommends approval.

Manny Salazar
Economic Development and Interim Planning Director



CITY OF
KINGSVILLE
MEMORANDUM

DATE	December 29, 2025
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 1115 S. 6th St

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1115 S. 6th St., we have concluded that the property in question does fall within the 300 ft boundary of a Church & School; therefore, it will require a variance according to State codes and City Ordinance § 11-3-4, which was adopted on April 9, 2018.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,
Engineering Department

Attachment 1 (map) shows the property and the relative location of the 1 Church, Property ID 10916; suspected to be close to the property. THE KINGSVILLE CHRISTIAN CHURCH/The Door Christian Fellowship Church is within the 300 foot boundary.

Attachment 1 (map) also shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Alcohol Permit - 1115 S. 6th St / Prop ID: 25876



Page 1 / 1	Drawn By: R. PICK	DISCLAIMER: THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave, Kingsville, TX 78363 Office: (361) 595-8007 Fax: (361) 595-8064
	Last Update: 12/29/2025	Note: Ownership is labeled with its Prop ID.	

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing to discuss and may take action at a meeting on Monday, February 09, 2026, at 5:00 P.M. regarding the following item:

Request for an alcohol variance for a BF Retail Dealer's Off-Premise License for the establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

From Bishop to the ring

Skalli, Furiosa compete in AKC sanctioned dog show

By Fred Sallinas
Contributing Reporter

Bishop resident Angelia "Angie" Delgado recently participated in a dog show hosted by the Corpus Christi Kennel Club held at the San Patricio Fairgrounds on Jan. 8-11 in Sinton.

The superintendent of the show was Onofrio Dog Shows and it was officially an American Kennel Club (AKC) sanctioned event.

Delgado showed two dogs over the weekend, an almost 2-year-old female American Hairless Terrier named Skalli and a 4-year-old standard poodle named Furiosa.

Skalli was awarded Best Female all four days and took Best of Winners on one of the days.

Furiosa earned Best of Breed Owner Handler two of the four days. Furiosa is already an AKC Champion and a National and International Champion.

"Skalli is young and still learning the ropes of showing. She has a promising future and I have no doubt she will be a finished champion just like Furiosa," Delgado said.

Delgado has been showing standard poodles since 2019 and just recently started showing American hairless terriers this past year.

She is planning on competing in a dog show hosted by the Fort Worth Kennel Club on March 21-22 at the Will Rogers Memorial Coliseum in Fort Worth.

Delgado keeps busy between shows with her small dog and cat grooming business.



Bishop resident Angie Delgado and her show dog Skalli strut their stuff for the judge at the Corpus Christi Kennel Club dog show held at the San Patricio Fairgrounds in Sinton. (Photo by Fred Sallinas)

Handler Angie Delgado shows Furiosa, a 4-year-old standard poodle, at the Corpus Christi Kennel Club dog show held at the San Patricio Fairgrounds in Sinton recently. (Contributed photo)

Lady Seahawks remain undefeated in district

By Ted Figueiroa
Reporter

Last Tuesday, The Riviera Lady Seahawks took care of business at Santa Maria with a 54-13 solid district win.

Zariah Gonzalez led the team with 21 points, Jaymie Ten-Cate added 15, Morgan Butler scored six, and Alyssa Bursiel and Eliana Abrigo each finished with four.

Head Coach Elias Arredondo praised the defensive playing on the night.

"I continue to be impressed by the defensive depth of this team. While we are still working to find consistency within our offensive scheme, our defensive strategy is creating plenty of opportunities. I'm looking forward to continued improvement," Arredondo said.

The Lady Seahawks also defeated Ben Bolt last Friday night 39-27. Kaufer has now won eight straight games and finished the first round of district play undefeated at 6-0. They are currently 6-0 in district and 14-6 overall.

Against Ben Bolt, the Lady Seahawks never fell behind. During the first quarter, they jumped out early, leading 12-4. By halftime Riviera had a 20-10-point advantage. In the third they extended their lead 29-13. During the fourth



Angelica Ortega in action for the Lady Seahawks against Ben Bolt. (Contributed photo)

quarter, Ben Bolt outscored Riviera 14-10, but the early deficit was too much to overcome.

Arredondo broke down some key components of the game.

"Kaufer's defensive pressure was a key factor, holding Ben Bolt to single-digit scoring in three of four quarters. Zariah Gonzalez anchored the

defensive effort with 10 steals. Jaymie Ten-Cate, Malsyn Bipient, Morgan Butler, and Angelica Ortega all contributed in key stretches as Kaufer used multiple lineup combinations throughout the game," Arredondo said.

The Lady Seahawks will be on the road this Friday to take on Agua Dulce and hope to stay undefeated in district.



The Lady Brahma Power Lifting Team earned first place overall at Mathis Invitational. (Contributed photo)

Lady Brahma Powerlifting takes first place at Mathis Invitational

By Ted Figueiroa
Reporter

The Lady Brahma Powerlifting team dominated and took first place overall at the Mathis Invitational Meet last week. Head Coach Aidee Amaya said her athletes earned the achievement through hard work, confidence, heart, and grit, representing our program with pride and excellence," Amaya said.

"Our team dominated their second meet of the season, earning first place overall as a team. Every lift, every medal, and every point reflected the dedication, sacrifice, and belief these athletes have in themselves and each other. While this win was amazing, we'll be back in the weight room to tighten up a few things and continue improving. This achievement did not happen by chance, our athletes earned it through hard work, confidence, heart, and grit, representing our program with pride and excellence," Amaya said.

In the 114-weight class, Kaelyn Morales earned first place. In the 123-weight class, Azzanne Chhvara took third place. In the 132-weight class, Skylar Salazar earned third place and Miranda Martinez took fourth place.

"We are so proud of every member of the Lady Brahma team for continuing to raise the standard, trusting the process, and showing up to put in the work," Amaya said.

PUBLIC NOTICE

On January 12, 2026, the Kingsville City Commission had public hearings and action items to consider condemnation of structures on the following properties. The City Commission found the structures on each of the properties to be dangerous, unsafe, in violation of city ordinances, unable to be corrected without substantial expense of reconstruction, and a public nuisance. The Commission ordered the property owner/agent/person in charge of each of the properties to demolish the structures within 30 days:

619 W. Ragland, Kingsville, Texas
728 W. Doddridge (shed), Kingsville, Texas

A copy of each order can be obtained from the City Secretary at City Hall (400 W. King Avenue, Kingsville, Texas) or by mailing her at P.O. Box 1458, Kingsville, Texas 78364.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing to discuss and may take action at a meeting on Monday, February 09, 2026, at 5:00 P.M. regarding the following item:

Request for an alcohol variance for a BE Retail Dealer's Off-Premise License for the establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Klerberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

AGENDA ITEM #10

Date: January 16, 2026

To: City Commission via City Manager Charlie Sosa

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Connie Womack, Tourism Director

Re: Appointment of New Members to Kingsville Main Street Board

Summary: The Main Street Advisory Board was created in 2017 by City of Kingsville City Commissioners. The board meets quarterly to develop and make recommendations to the City Manager regarding the Main Street District.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager. The board consists of seven members: four Downtown Merchant representatives, two Community representatives and one Texas A&M University-Kingsville representative. Jacob Perkins will replace the expiring term of Ryder Takesuye (Feb. 2024-2026) as a Downtown Merchant Representative. Rudy Trevino will replace the expiring term of Todd Lucas (Feb. 2024-2026) as the Texas A&M University-Kingsville Representative.

Fiscal Impact: None.

Recommendation: Appoint Jacob Perkins as a Downtown Merchant Representative and Rudy Trevino as the Texas A&M University- Kingsville Representative to the Main Street Advisory Board each for a two-year term.

AGENDA ITEM #11



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: January 16, 2026

To: City Commission via City Manager Charlie Sosa

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Connie Womack, Director of Tourism Services

RE: New Appointment to the Hotel Occupancy Tax Advisory Board

Summary: The Hotel Occupancy Tax Advisory Board was created in 2016 by the City of Kingsville City Commissioners. The board meets quarterly and makes recommendations for activities, programs and expenditures authorized by state tax code guiding appropriate use of occupancy tax funds.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager. The board consists of seven members: two Hotel Industry representatives, one King Ranch representative, one Main Street Merchant representative, one Texas A&M University-Kingsville representative, one Conner Museum representative and one resident. Mr. Devraj Patel will fill the expired term of Kamlesh Bhikha as a Hotel Industry representative.

Financial Impact: None

Recommendation: Appoint Devraj Patel, owner of Quality Inn Kingsville, to a two-year term on the HOT Advisory Board as the Hotel Industry representative.

AGENDA ITEM #12

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Connie Womack, Tourism Director

DATE: January 28, 2026

SUBJECT: Request to Waive Security and Emergency Personnel Fees for *Meet the Blues*

Summary:

This memo requests City Commission approval to waive fees associated with security and emergency personnel attendance for *Meet the Blues*, scheduled for April 17, 2026, at the JK Northway Expo Center. *Meet the Blues* is the City of Kingsville's official community event held in conjunction with *Wings Over South Texas* at NAS-Kingsville, for which the City serves as the Premier Sponsor.

Background:

Meet the Blues is a signature City-hosted event welcoming the Blue Angels and visitors to Kingsville during the *Wings Over South Texas* air show weekend at Naval Air Station Kingsville. The event provides residents, military families, and visitors with an opportunity to engage with the Blue Angels, celebrate the City's strong relationship with NAS-Kingsville, and showcase Kingsville as a welcoming and vibrant community.

As Premier Sponsor, the City plays a leading role in hosting and supporting this event, which serves as both a community celebration and a tourism and economic development opportunity. The presence of security and emergency personnel is essential to ensure a safe, well-organized, and positive experience for attendees and participants.

Financial Impact:

These services directly support a City-sponsored event that promotes tourism, community pride, and regional visibility. No additional funds are requested, and the waiver aligns with the City's role as Premier Sponsor and host of the event.

Recommendation:

Staff recommends that the City Commission approve the waiver of fees associated with security and emergency personnel attendance for the Meet the Blues event on April 17, 2026, at the JK Northway Expo Center, in support of the City's Premier Sponsorship of Wings Over South Texas and its ongoing partnership with NAS-Kingsville.

AGENDA ITEM #13

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, City Manager
FROM: Charlie Cardenas, P.E., City Engineer
DATE: January 9, 2026
SUBJECT: Consider Approving Change Order No. 1 Bid No. 25-11 for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 Project 3 – Caesar Ditch Improvements

Purpose:

Consider approving Change Order No. 1 (CO-1) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237. CO-1 is in the amount of \$165,000.00 for a bypass pumping system and lab testing procedures for the entirety of the project duration.

This change order addresses unforeseen issues during construction; it is for maintaining site conditions. It was noted that during rain events and utility breaks in the city that the Caesar Ditch would hold the runoff water causing damage and delays at the construction site. Additionally, the city had been incurring the testing cost during construction. CO-1 would allow the grant to pay for the testing cost. CO-1 is 2.35% of the original contract amount of \$7,026,961.60 which falls within the 25% allowance per the GLO contract.

Summary:

GLO Change Order No. 2 – Contract Time

Description	Cost
<u>Bypass Pumping, \$90,000.00/LS</u>	<u>90,000.00</u>
<u>Additional Required Testing,</u>	<u>75,000.00</u>
<u>\$75,000.00/LS</u>	
Contract Price with CO-1	<u>\$7,191,961.60</u>

Background:

As part of the GLO CDBG-MIT Hurricane Harvey State Mitigation Competition grant. Project 3 – Caesar Ditch Improvements is a critical component of the city's infrastructure upgrades. This project includes the installation of box culverts along Caesar Ditch from IH 69 (US 77 bypass) to 18th Street, junction boxes, and related appurtenances.



**City of Kingsville
Engineering Dept.**

Financial Impact:

The cost of CO-1 is \$165,000.00. (from the grant).

Recommendation:

Staff recommends approving the Change Order No. 1 for CDBG-MIT GLO Contract No. 22-085-009-D237 – Project 3 (Caesar Ditch Improvements) for the increase of \$165,000.00.

Attachments:

- Project 3 GLO Change Order No. 1
- Engineer's recommendation



PROPOSAL

Project: GLO SW Project 3 (E. Caesar Ave) Storm Water Improvements

DATE: 11/17/2025 **EFFECTIVE DATE:** _____

EFFECTIVE DATE: _____

OWNER: City of Kingsville
400 W King Ave
Kingsville, Tx 78363

CONTRACTOR: Mor-Wil, LLC
808 Shary Rd. Ste. 5 PMB 274
Mission, Texas 78572

ENGINEER: ICE
261 Saratoga Blvd
Corpus Christi, TX 78417

ALL INQUIRIES TO:

Albert Garza

(956) 456-0628

email: albert.garza03@yahoo.com



SCHEDULE OF SERVICES AND FEES

Building & Construction Services – Corpus Christi, TX

Effective January 1st, 2025

PSI Dispatch Office Number (361) 854-4801 M-F 8am to 5pm

SOILS

Laboratory testing of soils, delivered to our laboratory, in accordance with ASTM or AASHTO procedures and project specifications.

Moisture/Density Relationship of Soil (Standard/Modified)	Each	\$ 235.00
Atterberg Limits Determination (PI)	Each	\$ 90.00
Sieve Analysis including Percent Passing No. 200 Sieve	Each	\$ 110.00
Laboratory Lime Series	Each	\$ 455.00
Field Gradations Treated Soils (TEX DOT Item 260).....	Each	\$ 85.00
Bulk Sample Preparation.....	Each	\$ 65.00
Soil Sample Rush Fee (Upon Request).....	Each	\$ 200.00

Turnaround Time for Proctors may vary 4-6 Business based on soil conditions of sample

CONCRETE and AGGREGATES

Laboratory testing of concrete, grout, mortar and aggregates, delivered to our laboratory, in general accordance with ASTM procedures and project specifications.

Concrete Cylinders (Cured and/or Tested in Compression) (4x8).....	Each	\$ 22.00
Concrete Cylinders (Cured and/or Tested in Compression) (6x12).....	Each	\$ 24.00
Trimming of Cylinders for ASTM Procedure (Contractor Made Only).....	Each	\$ 45.00

ASPHALT

Laboratory testing of asphaltic samples in general accordance with AASHTO or TxDOT procedures and project specifications:

Density and Thickness of Field Cores.....	Each	\$ 45.00
Asphalt Content & Sieve Analysis by Ignition Method, (Tex-236F Tex-229F).....	Each	\$ 230.00
Theoretical Maximum Specific Gravity (Rice Method), Tex-227F	Each	\$ 123.00
Lab Compacted Specimens, Tex-206F (Set of 3).....	Per Set	\$ 227.00
Extraction/Gradation.....	Each	\$ 260.00

MASONRY

Laboratory testing of masonry samples delivered to our laboratory, in general accordance with ASTM Procedures and project specifications:

Grout Prisms (Cured and/or Tested in Compression)	Each	\$ 28.00
Mortar Cubes (Cured and/or Tested in Compression).....	Each	\$ 26.00



FIELD TESTING AND OBSERVATION SERVICES

Engineering Technician	Per Hour	\$ 54.00
<ul style="list-style-type: none">• Concrete -To perform sampling of concrete, slump, temperature, cast compressive strength test specimens.• Soils -To perform sampling of soils, nuclear density testing, field gradations, and proof roll observation.• Masonry – To perform sampling, cast compressive strength test specimens and observations		
Senior Engineering Technician	Per Hour	\$ 62.00
<ul style="list-style-type: none">• Pier/Pile field observation• Asphalt - To perform sampling and observation, temperature and asphalt coring .• Cast In-place Reinforce Steel Observation (Visual)		
Structural Steel CWI Inspector	Per Hour	\$ 123.00
<ul style="list-style-type: none">• To perform visual weld observation, bolting inspection, shear stud verification,• NDE of welds, WPS and fabrication shop		
Material Sample/Cast Specimen Retrieval (Technician, Trip, and Report Review)	Per Trip	\$ 220.00

MANAGEMENT/TECHNICAL SERVICES

Project Manager (contract administration, meetings, scheduling/supervision of personnel)	Per Hour	\$ 110.00
Administrative/Clerical (PDF/Filing Reports and Pay Apps.)	Per Hour	\$ 40.00
Report Review (review and disseminate reports via Construction Hive)	Per Report	\$ 37.00
Project Set Up Fee	Per Project	\$ 250.00

EQUIPMENT

Soil Nuclear Density Troxler Gauge (3 Test Min)	Per Trip	\$ 70.00
Concrete Testing Equipment	Per Trip	\$ 55.00
Transportation/Mobilization	Per Trip	\$ 75.00
Transportation/Mobilization (Special Inspection Travel)	Per Trip	\$ TBD.00



Bid Item Averages

Bidder Rank filter needs to be set for "Low Bidder" to see low bid prices for change order justification.

Date: 12/12/2025 1:30:41 PM

Filters
Standard Specification
Code

Adjust filters to refine your analysis of bid item average costs.

Use Qty Filter:
NO

Enter Min Qty:
0
Enter Max Qty:
16,613,560

Show Chart

Bid Item

(All)

BID_CODE

BID_ITEM_DESCR

MS_UNIT

Min. Bid Item Qty

Max. Bid Item Qty

Weighted Avg Unit Price

Min. Unit Price

Max. Unit Price

Std. dev. of Unit Price

Total Sum Bid Quantities

Distinct CCSJ

Actual Let Date Range

Last 3 months

7008-7023 REMOVING PIPE 12" DIA

LF

910.0

910.0

\$23.09

\$20.00

\$31.32

\$4.00

7,280.0

1

Bidder Rank

All Bidders

7008-7025 ABND/RMV/DISPOSE EXIST LINE (ALL TYP/SZ)

LF

457.0

457.0

\$65.38

\$32.65

\$104.42

\$20.51

3,656.0

1

District

(All)

7008-7026 RMV AND DISPOSAL OF EXIST FIRE HYDRANTS

EA

1.0

1.0

\$1,672.09

\$620.00

\$6,000.00

\$1,960.04

8.0

1

County

(All)

7008-7027 BYPASS PUMPING

LS

1.0

1.0

\$40,151.36

\$15,000.00

\$175,000.00

\$55,316.90

8.0

1

Project Classification

(All)

7008-7028 ENCASEMENT PIPE (30") STEEL (BORE)

LF

146.0

146.0

\$1,350.33

\$417.66

\$1,725.00

\$386.54

1,169.0

1

Vendors (Select to Exclude)

(All)

7008-7029 ENCASEMENT PIPE (54") STEEL (BORE)

LF

560.0

560.0

\$2,766.62

\$1,218.18

\$3,850.00

\$934.91

4,480.0

1

Project Size

(All)

7008-7030 ADJUST EXIST WATER VALVE AND COVER

EA

5.0

5.0

\$947.58

\$450.00

\$1,427.02

\$305.81

40.0

1

Project Type

(All)

7008-7031 ENCASEMENT PIPE (24") STEEL

LF

51.0

51.0

\$299.76

\$275.30

\$375.00

\$34.78

406.0

1

7008-7032 ENCASEMENT PIPE (20") STEEL

LF

146.0

146.0

\$371.48

\$280.00

\$584.20

\$123.40

1,169.0

1



January 5, 2026

Juan Carlos "Charlie" Cardenas, P.E.
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-085-009-D237 Project 3, (City of Kingsville Bid No. 25-11) – ICE CO 1 Proposal Recommendation

Dear Mr. Cardenas,

This is in reference to ICE's recommendation on Mor-Wil's change order proposal.

This change order proposal was submitted by Mor-Wil, LLC in the amount of \$165,000.00 for a bypass pumping system and lab testing procedures for the entirety of the project duration.

ICE agrees that bypass pumping is required to maintain construction site conditions. The amount of \$90,000 for bypass pumping throughout the remainder of the project is considered acceptable. The general cost of bypass pumping varies depending on the size and duration of a project, as well as the volume of water infiltration. Determining a set amount is difficult in these current industry conditions. ICE has reviewed and researched this cost and can verify that it is reasonably priced for this particular project, given the amount of water infiltration, volume of bypass pumping, and project scope. ICE has witnessed the continuous surface water infiltration at the construction site due to irrigation and water main breaks that enter the storm system upstream of the job site.

Additionally, the amount of \$75,000 is for lab testing procedures. Similar to the bypass pumping, testing costs vary by project based on size of scope and testing schedule requirements. Lab testing is necessary for this project as it provides cured concrete compressive strength, depth & density of roadway subgrade and base material, the density of the soil that will be utilized for backfill, and hot mix asphalt cores. The City of Kingsville has provided a schedule of services and fees for geotechnical testing from previous city projects. Utilizing this schedule of fees along with the materials testing schedule for this project, ICE agrees that \$75,000.00 is a reasonable amount to allow for all necessary materials testing for the remainder of the project.

This change order will increase the original contract amount of \$7,026,961.60 by approximately 2.35%, which falls within the 25% allowance per the GLO contract. The construction contract end date will be extended from the previous date of July 27, 2026 to August 11, 2026. The City of Kingsville has the final decision to approve/not approve change orders. It is ICE's opinion that should the city approve this change order; it will be for bypass pumping operations and lab testing procedures only.



If you have any questions or need additional information, please contact me at (361) 826-5805 or
julio@icengineers.net

Sincerely,

A handwritten signature in black ink that reads "Julio A. Macias, P.E." The signature is fluid and cursive, with "Julio A." on the first line and "Macias, P.E." on the second line.

Julio A. Macias, P.E.
Project Engineer

RESOLUTION #2026-_____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH MOR-WIL
LLC FOR THE GLO CDBG-MIT CONTRACT 22-085-009-D237 PROJECT 3: E.
CAESAR AVE. STORM WATER IMPROVEMENTS; REPEALING ALL
CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Kingsville (City) intends to make some storm water improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) Program via Contract #22-085-009-D237 Project 3: E. Caesar Ave. Storm Water Improvements (from 18th St. to 240 ft. east of 24th St.) and went out for bids via Bid #25-11 which was advertised on February 13th & 20th, 2025;

WHEREAS, the two bids were received by the March 18, 2025 deadline that were responsive to Bid #25-11 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was Mor-Wil LLC, from Mission, Texas (Vendor);

WHEREAS, the City awarded Bid#25-11 to Vendor at a Commission meeting on April 14, 2025 for a total amount of \$7,026,961.60 and 420 consecutive calendar days from the Notice to Proceed;

WHEREAS, the City and Vendor worked to prepare and the City Commission approved, via Resolution #2025-45 on April 28, 2025, a contract for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 3: E. Caesar Ave. Storm Water Improvements for the base bid (\$6,051,030.20) and for alternate no. 1 (\$975,931.40), which together is a total contract amount of \$7,026,961.60 with a total contract time of 420 calendar days;

WHEREAS, unforeseen issues have come up during construction that require a bypass pumping system and lab testing procedures for the entirety of the project duration in order to maintain site conditions to allow completion of the project at an additional cost of \$165,000 and an additional 15 calendar days;

WHEREAS, staff is recommending the City Commission approve Change Order #1 to the construction contract with vendor as presented for a new total amount of \$7,191,961.60 with a new contract time of 435 calendar days;

BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission of the City of Kingsville, Texas approves and authorizes the City Manager to execute Change Order #1 to the Construction Contract for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 3: E. Caesar Ave. Storm Water Improvements between the City of Kingsville, Texas and Mor-Wil LLC, as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient	City of Kingsville	GLO Contract Number: 22-085-009-D237	Date: 1/5/2026
Engineer Name Address & Phone		Subrecipient Name, Address, & Phone Number:	Contractor Name, Address & Phone Number:
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805		City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040	Mor-Wil, LLC 808 S. Shary Rd., Suite 5, PMB 274 Mission, TX 78574 956-456-0628
Project #:	3	Bid Package #:	1
Contract Origination Date		Project Description:	
4/28/2025		Storm Water Improvements	

You are hereby requested to comply with the following changes from the contract plans and specifications.

See sheet 2 to add additional entries

<u>Change in Construction Contract Price</u>		<u>Change in Contract Time (Calendar Days)</u>	
Original Contract Price:	7,026,961.60	Original Contract Time in Days:	420
Cumulative Previous Change Order(s) Total:	0.00	Net Change from Previous Change Order(s) in Days	0
Contract Price Prior to this Change Order:	7,026,961.60	Contract Time Prior to this Change Order in Days	420
Net Increase/Decrease of this Change Order:	165,000	Net Increase/Decrease of this Change Order in Days:	15



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	7,191,961.60	Contract Time with All Approved Change Orders in Days:	435
Cumulative Percent Change in Contract Price (+/-):	2.35%	Subrecipient Contract End Date:	1/31/2027
Construction Contract Start Date:	6/2/2025	Construction Contract End Date:	8/11/2026

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

Subrecipient Signature	Julio A. Macias, P.E.	Contractor Signature
Charlie L. Sosa, City Manager	Julio A. Macias, P.E., Project Engineer	Albert Garza III, Project Manager
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)
Subrecipient Signature	Engineer Signature	Contractor Signature

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? Increase Decrease No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work: Increase Decrease No Change

3. Effect on operation and maintenance costs: Increase Decrease No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? Yes No

If "no", explain:

Items CO 1-1 & CO 1-2 are deemed justifiable based on current market conditions and are necessary for construction completion.

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? Yes No

If "yes", is an environmental assessment required?

--



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? Yes No

7. Is the CCN permit still valid? (sewer projects only) Yes No

8. Are the disability access requirements/approval still valid (if applicable)? Yes No

9. Are other Disaster Recovery contractual special condition clearances still valid? Yes No

If "no", explain:

***Disclaimer:** The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.*

AGENDA ITEM #14

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, City Manager
FROM: Charlie Cardenas, P.E., City Engineer
DATE: January 9, 2026
SUBJECT: Consider Approving Change Order No. 1 Bid No. 25-12 for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 Project 5 – Caesar Drainage Improvements

Purpose:

Consider approving Change Order No. 1 (CO-1) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237. CO-1 is in the amount of \$165,000.00 for a bypass pumping system and lab testing procedures for the entirety of the project duration. Also this CO-1 would extend 15 contract days.

This change order addresses unforeseen issues during construction; it is for maintaining site conditions. It was noted that during rain events and utility breaks in the city that the Caesar Ditch would hold the runoff water causing damage and delays at the construction site. The same conditions will occur upstream. Additionally, the city had been incurring the testing cost during construction for project 3. To avoid the same occurrence, CO-1 would allow the grant to pay for the testing cost. CO-1 is 4.82% of the original contract amount of \$3,420,657.39 which falls within the 25% allowance per the GLO contract.

Summary:

GLO Change Order No. 1 – Cost and Contract Time

Description	Cost
Bypass Pumping, \$90,000.00/LS	90,000.00
Additional Testing, \$75,000.00/LS	75,000.00
Contract Price and days with CO-1	\$3,585,657.39 and 375 days

Background:

As part of the GLO CDBG-MIT Hurricane Harvey State Mitigation Competition grant. Project 5 – Caesar Drainage Improvements is a critical component of the city's infrastructure



**City of Kingsville
Engineering Dept.**

upgrades. This project includes the installation of box culverts along Caesar Ditch from 18th Street to Hall Street, junction boxes, and related appurtenances.

Financial Impact:

The cost of CO-1 is \$165,000.00. (from the grant).

Recommendation:

Staff recommends approving the Change Order No. 1 for CDBG-MIT GLO Contract No. 22-085-009-D237 – Project 5 (Caesar Draianage Improvements) for the increase of \$165,000.00.

Attachments:

- Project 5 GLO Change Order No. 1
- Engineer's recommendation



PROPOSAL

Project: GLO SW Project 5 (E. Caesar Ave) Storm Water Improvements

DATE: 11/17/2025 **EFFECTIVE DATE:** _____

OWNER: City of Kingsville
400 W King Ave
Kingsville, Tx 78363

CONTRACTOR: Mor-Wil, L.L.C.
808 Shary Rd. Ste. 5 PMB 274
Mission, Texas 78572

ENGINEER: ICE
261 Saratoga Blvd
Corpus Christi, TX 78417

ALL INQUIRIES TO:

Albert Garza

(956) 456-0628

email: albert.garza03@yahoo.com



SCHEDULE OF SERVICES AND FEES

Building & Construction Services – Corpus Christi, TX

Effective January 1st, 2025

PSI Dispatch Office Number (361) 854-4801 M-F 8am to 5pm

SOILS

Laboratory testing of soils, delivered to our laboratory, in accordance with ASTM or AASHTO procedures and project specifications.

Moisture/Density Relationship of Soil (Standard/Modified)	Each	\$ 235.00
Atterberg Limits Determination (PI)	Each	\$ 90.00
Sieve Analysis including Percent Passing No. 200 Sieve	Each	\$ 110.00
Laboratory Lime Series	Each	\$ 455.00
Field Gradations Treated Soils (TEX DOT Item 260).....	Each	\$ 85.00
Bulk Sample Preparation.....	Each	\$ 65.00
Soil Sample Rush Fee (Upon Request).....	Each	\$ 200.00

Turnaround Time for Proctors may vary 4-6 Business based on soil conditions of sample

CONCRETE and AGGREGATES

Laboratory testing of concrete, grout, mortar and aggregates, delivered to our laboratory, in general accordance with ASTM procedures and project specifications.

Concrete Cylinders (Cured and/or Tested in Compression) (4x8).....	Each	\$ 22.00
Concrete Cylinders (Cured and/or Tested in Compression) (6x12).....	Each	\$ 24.00
Trimming of Cylinders for ASTM Procedure (Contractor Made Only).....	Each	\$ 45.00

ASPHALT

Laboratory testing of asphaltic samples in general accordance with AASHTO or TxDOT procedures and project specifications:

Density and Thickness of Field Cores.....	Each	\$ 45.00
Asphalt Content & Sieve Analysis by Ignition Method, (Tex-236F Tex-229F).....	Each	\$ 230.00
Theoretical Maximum Specific Gravity (Rice Method), Tex-227F	Each	\$ 123.00
Lab Compacted Specimens, Tex-206F (Set of 3).....	Per Set	\$ 227.00
Extraction/Gradation.....	Each	\$ 260.00

MASONRY

Laboratory testing of masonry samples delivered to our laboratory, in general accordance with ASTM Procedures and project specifications:

Grout Prisms (Cured and/or Tested in Compression)	Each	\$ 28.00
Mortar Cubes (Cured and/or Tested in Compression).....	Each	\$ 26.00



FIELD TESTING AND OBSERVATION SERVICES

Engineering Technician	Per Hour	\$ 54.00
<ul style="list-style-type: none">• Concrete -To perform sampling of concrete, slump, temperature, cast compressive strength test specimens.• Soils - To perform sampling of soils, nuclear density testing, field gradations, and proof roll observation.• Masonry – To perform sampling, cast compressive strength test specimens and observations		
Senior Engineering Technician	Per Hour	\$ 62.00
<ul style="list-style-type: none">• Pier/Pile field observation• Asphalt- To perform sampling and observation, temperature and asphalt coring.• Cast In-place Reinforce Steel Observation (Visual)		
Structural Steel CWI Inspector	Per Hour	\$ 123.00
<ul style="list-style-type: none">• To perform visual weld observation, bolting inspection, shear stud verification, NDE of welds, WPS and fabrication shop		
Material Sample/Cast Specimen Retrieval (Technician, Trip, and Report Review)	Per Trip	\$ 220.00

MANAGEMENT/TECHNICAL SERVICES

Project Manager (contract administration, meetings, scheduling/supervision of personnel)	Per Hour	\$ 110.00
Administrative/Clerical (PDF/Filing Reports and Pay Apps.)	Per Hour	\$ 40.00
Report Review (review and disseminate reports via Construction Hive)	Per Report	\$ 37.00
Project Set Up Fee.....	Per Project	\$ 250.00

EQUIPMENT

Soil Nuclear Density Troxler Gauge (3 Test Min)	Per Trip	\$ 70.00
Concrete Testing Equipment	Per Trip	\$ 55.00
Transportation/Mobilization	Per Trip	\$ 75.00
Transportation/Mobilization (Special Inspection Travel)	Per Trip	\$TBD.00





Bid Item Averages

Bidder Rank filter needs to be set for "Low Bidder" to see low bid prices for change order justification.

Date Date: 12/12/2025 1:30:41 PM

Filters	Adjust filters to refine your analysis of bid item average costs.		Use Qty Filter:	Enter Min Qty	Enter Max Qty	Show Chart						
Standard Specification Id:	(All)	BID_CODE	BID_ITEM_DESCR	MS_UNIT	Min. Bid Item Qty	Max. Bid Item Qty	Weighted Avg. Unit Price	Min. Unit Price	Max. Unit Price	Std. Dev. of Unit Price	Total Sum Bid Quantities	Distinct CCSJ
Bid Item	(All)	7008-7023	REMOVING PIPE 12" DIA	LF	910.0	910.0	\$23.09	\$20.00	\$31.32	\$4.00	7,290.0	1
Actual Let Date Range:	Last 3 months	7008-7024	REMOVING PIPE 24" DIA	LF	1,425.0	1,425.0	\$30.35	\$24.51	\$39.28	\$4.60	11,400.0	1
Bidder Rank	All Bidders	7008-7025	ABND/RMV/DISPOSE EXIST LINE (ALL TTY/SZ)	LF	457.0	457.0	\$65.38	\$22.65	\$104.42	\$20.51	3,656.0	1
District	(All)	7008-7026	RMV AND DISPOSAL OF EXIST FIRE HYDRANTS	EA	1.0	1.0	\$1,672.09	\$620.00	\$6,000.00	\$1,960.04	8.0	1
County	(All)	7008-7027	BYPASS HUMPING	LS	1.0	1.0	\$40,151.36	\$15,000.00	\$175,000.00	\$55,316.90	8.0	1
Project Classification	(All)	7008-7028	ENCASEMENT PIPE (30")STEEL(BORE)	LF	146.0	146.0	\$1,350.33	\$417.66	\$1,725.00	\$396.54	1,158.0	1
Vendor:	(Select to Exclude)	7008-7029	ENCASEMENT PIPE (54")STEEL(BORE)	LF	560.0	560.0	\$2,766.62	\$1,218.18	\$3,850.00	\$934.91	4,490.0	1
Project Size	(All)	7008-7030	ADJUST EXIST WATER VALVE AND COVER	EA	5.0	5.0	\$947.58	\$450.00	\$1,427.02	\$305.81	40.0	1
Project Type	(All)	7008-7031	ENCASEMENT PIPE (24") STEEL	LF	51.0	51.0	\$299.76	\$275.30	\$375.00	\$24.78	406.0	1
		7008-7032	ENCASEMENT PIPE (30") STEEL	LF	146.0	146.0	\$371.48	\$280.00	\$584.20	\$123.40	1,169.0	1



January 5, 2026

Juan Carlos "Charlie" Cardenas, P.E.
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-085-009-D237 Project 5, (City of Kingsville Bid No. 25-12) – ICE CO 1 Proposal Recommendation

Dear Mr. Cardenas,

This is in reference to ICE's recommendation on Mor-Wil's change order proposal.

This change order proposal was submitted by Mor-Wil, LLC in the amount of \$165,000.00 for a bypass pumping system and lab testing procedures for the entirety of the project duration.

ICE agrees that bypass pumping is required to maintain construction site conditions. The amount of \$90,000 for bypass pumping throughout the remainder of the project is considered acceptable. The general cost of bypass pumping varies depending on the size and duration of a project, as well as the volume of water infiltration. Determining a set amount is difficult in these current industry conditions. ICE has reviewed and researched this cost and can verify that it is reasonably priced for this particular project, given the amount of water infiltration, volume of bypass pumping, and project scope. ICE has witnessed the continuous surface water infiltration at the construction site due to irrigation and water main breaks that enter the storm system upstream of the job site.

Additionally, the amount of \$75,000 is for lab testing procedures. Similar to the bypass pumping, testing costs vary by project based on size of scope and testing schedule requirements. Lab testing is necessary for this project as it provides cured concrete compressive strength, depth & density of roadway subgrade and base material, the density of the soil that will be utilized for backfill, and hot mix asphalt cores. The City of Kingsville has provided a schedule of services and fees for geotechnical testing from previous city projects. Utilizing this schedule of fees along with the materials testing schedule for this project, ICE agrees that \$75,000.00 is a reasonable amount to allow for all necessary materials testing for the remainder of the project.

This change order will increase the original contract amount of \$3,420,657.39 by approximately **4.82%**, which falls within the 25% allowance per the GLO contract. The construction contract end date will be extended from the previous date of May 28, 2026 to June 12, 2026. The City of Kingsville has the final decision to approve/not approve change orders. It is ICE's opinion that should the city approve this change order; it will be for bypass pumping operations and lab testing procedures only.





If you have any questions or need additional information, please contact me at (361) 826-5805 or
julio@icengineers.net

Sincerely,

A handwritten signature in black ink that reads "Julio A. Macias, P.E." The signature is fluid and cursive, with "Julio A." on the first line and "Macias, P.E." on the second line.

Julio A. Macias, P.E.
Project Engineer

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RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH MOR-WIL LLC FOR THE GLO CDBG-MIT CONTRACT 22-085-009-D237 PROJECT 5: E. CAESAR AVE. STORM WATER IMPROVEMENTS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some storm water improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) Program via Contract #22-085-009-D237 Project 5: E. Caesar Ave. Storm Water Improvements (from E. Carlos Truan Blvd. to 18th St.) and went out for bids via Bid #25-12 which was advertised on February 13th & 20th, 2025;

WHEREAS, the two bids were received by the March 18, 2025 deadline that were responsive to Bid #25-12 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was Mor-Wil LLC, from Mission, Texas (Vendor);

WHEREAS, the City awarded Bid#25-12 to Vendor at a Commission meeting on April 14, 2025 for a total amount of \$3,420,657.39 and 360 consecutive calendar days from the Notice to Proceed;

WHEREAS, the City and Vendor worked to prepare and the City Commission approved, via Resolution #2025-46 on April 28, 2025, a contract for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 5: E. Caesar Ave. Storm Water Improvements for the base bid (\$840,911.65) and for alternates no. 1 (\$205,846.54) & 2 (\$2,373,889.40), which together is a total contract amount of \$3,420,657.39 with a total contract time of 360 calendar days;

WHEREAS, unforeseen issues have come up during construction that require a bypass pumping system and lab testing procedures for the entirety of the project duration in order to maintain site conditions to allow completion of the project at an additional cost of \$165,000 and an additional 15 calendar days;

WHEREAS, staff is recommending the City Commission approve Change Order #1 to the construction contract with vendor as presented for a new total amount of \$3,585,657.39 with a contract time of 375 calendar days;

BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission of the City of Kingsville, Texas approves and authorizes the City Manager to execute Change Order #1 to the Construction Contract for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 5: E. Caesar Ave. Storm Water Improvements between the City of Kingsville, Texas and Mor-Wil LLC, as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient	City of Kingsville	GLO Contract Number:	22-085-009-D237	Date:	1/5/2026
Engineer Name Address & Phone		Subrecipient Name, Address, & Phone Number:		Contractor Name, Address & Phone Number:	
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805		City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040		Mor-Wil, LLC 808 S. Shary Rd., Suite 5, PMB 274 Mission, TX 78574 956-456-0628	
Project #:	5	Bid Package #:	1	Change Order #:	1
Contract Origination Date	4/28/2025	Project Description:		Storm Water Improvements	

You are hereby requested to comply with the following changes from the contract plans and specifications.

See sheet 2 to add additional entries

Change in Construction Contract Price

Original Contract Price: 3,420,657.39

Change in Contract Time (Calendar Days)

Original Contract Time in Days: 360

Cumulative Previous 0.00
Change Order(s) Total:

Net Change from Previous Change Order(s) in Days

Contract Price Prior to
this Change Order:

Contract Time Prior to this Change Order in Days

Contract Price Prior to this Change Order:	3,420,657.39	Contract Time Prior to this Change Order in Days	360
Net Increase/Decrease of this Change Order:	165,000	Net Increase/Decrease of this Change Order in Days:	15

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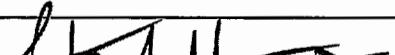


COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	3,585,657.39	Contract Time with All Approved Change Orders in Days:	375
Cumulative Percent Change in Contract Price (+/-)	4.82%	Subrecipient Contract End Date:	1/31/2027
Construction Contract Start Date:	6/2/2025	Construction Contract End Date:	6/12/2026

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

		
Subrecipient Signature	Engineer Signature	Contractor Signature
Charlie L. Sosa, City Manager	Julio A. Macias, P.E., Project Engineer	Albert Garza III, Project Manager
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? Increase Decrease No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work:

Increase Decrease No Change

3. Effect on operation and maintenance costs:

Increase Decrease No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid?

Yes No

If "no", explain:

Items CQ 1-1 & CQ 1-2 are deemed justifiable based on current market conditions and are necessary for construction completion.

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? Yes No

If "yes", is an environmental assessment required?



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? Yes No

7. Is the CCN permit still valid? (sewer projects only) Yes No

8. Are the disability access requirements/approval still valid (if applicable)? Yes No

9. Are other Disaster Recovery contractual special condition clearances still valid? Yes No

If "no", explain:

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

AGENDA ITEM #15

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Charlie Cardenas, P.E., City Engineer

DATE: January 9, 2026

SUBJECT: Consider Approving Change Order No. 3 Bid No. 24-09 for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-082-016-D218 Project 1 – Forced Main and Lift Station Wastewater Improvements

Purpose:

Consider approving Change Order No. 3 (CO-3) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-082-016-D218. CO-3 is in the amount of **\$3,554.45**.

This change order addresses unforeseen issues during construction, including, Electrical service connection for the lift station.

Summary:

GLO Change Order No. 3 – Contract Price

Item	Description	Unit	Quantity	Unit Cost	Total
CO 3-1	Electrical service connection for lift station	LS	1	\$3,554.45	\$3,554.45

GLO Change Order No. 3 Total **\$3,554.45**

Background:

As part of the GLO CDBG-MIT Hurricane Harvey State Mitigation Competition grant. Project 1 – Forced Main and Lift Station Wastewater Improvements is a critical component of the city's infrastructure upgrades. This project includes the installation of a new lift station. Wastewater forced main, Cast in Place Pipe (CIPP), junction boxes, and related appurtenances (and with this CO, electrical connections) to improve wastewater infrastructure and operations risks.



**City of Kingsville
Engineering Dept.**

Financial Impact:

Change Order No. 3 will be funded by the General Land Office Hurricane Harvey Mitigation Grant (Fund 122) in the amount of \$3,554.45.

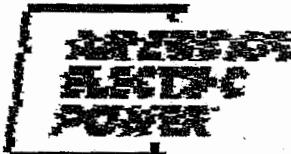
Recommendation:

Staff recommends approving the Change Order No. 3 for CDBG-MIT GLO Contract No. 22-082-016-D218 – Project 1 (Forced Main and Lift Station) for the amount of \$3,554.45.

Attachments:

- Project 1 GLO Change Order No. 3
- Engineer's recommendation





RELIABILITY. ENERGY.

December 5, 2025

Customer Address:
Roland Ramirez

Email: ryanelectric@gmail.com
Direct: 361-562-1513

Attention: Roland Ramirez

Project: City of Kingsville Lift Station WR # 90500006
Project Address: 312 US Business HWY 77

Roland Ramirez,

Enclosed please find a *Contribution-in-Aid-of-Construction Agreement* (CIAC) for the requested utility work at the location listed above. In order to move the project forward the CIAC agreement needs to be signed and returned. If you choose to proceed with the project, please sign the agreement and return to the email shown below:

Email

rhnunez@aep.com

THIS IS NOT AN INVOICE. The invoice will be mailed to you with payment instructions. Invoice should arrive within one week. If you do not receive the invoice, please call me. Please do not delay in getting the invoice paid. The job will remain on hold until payment has been received and processed. It will then be moved to the scheduling and construction phase which may take up to 6 weeks or longer. Therefore, please return payment to the address provided on the invoice received in the mail as soon as possible to avoid delays in getting the job completed.

If you have any questions or need additional information, please contact me.

Sincerely,
Ruben Nunez
AEP-Texas Engineering
361-242-3610 / 361-774-7499
rhnunez@aep.com

2021-04-22 12:27:27

AEP Texas

Contribution-In-Aid-Of-Construction Agreement For Electric Distribution Service

City of Kingsville - Lift Station
Service: 312 W US Business HWY 77 (14th St
Kingsville, TX

Contract DWMS00000640783 Work Request 90500006
Date: 12/4/2025

You, City of Kingsville - Lift Station (Customer) have requested AEP Texas (Company) to install/construct certain electric distribution facilities (hereinafter referred to as "Facilities") as follows: Install approximately 1,134 linear feet of #2 AAAC primary Conductor, 15 insulators, 40 class 2 primary pole, 35 class 5 secondary pole, 3-phase 75 KVA overhead transformer bank, 277/480 volt, 1 guy wire and anchor, to provide 3-phase 277/480 volt service to lift station.

The cost for construction/installation of the requested Facilities will be in excess of what would normally be provided by Company at no additional cost to the Customer to initiate service. In accordance with the Company's approved Tariff, as filed with the Public Utilities Commission of Texas, the Customer agrees to pay Company a one-time, non-refundable, Contribution-In-Aid-Of-Construction (CIAC) in the amount of 3,554.45. The Customer understands that he/she receives no ownership or control of the Facilities by virtue of the payment of the CIAC. The Facilities installed by the Company will remain the property of the Company. The Company expressly retains the right to use said Facilities for any purpose which Company deems appropriate under good utility practices, including the distribution of electric service to other customers.

Company agrees to install facilities to premises identified as follows: 312 W US Business HWY 77 (Lift Station), and the Customer agrees to provide amount listed above in Aid-to-Construction, and to be ready to take electric service on or before 12/31/2025.

It is understood and agreed that the Company will not begin construction/installation of the Facilities until full payment of the CIAC has been received by the Company; therefore, Customer understands and agrees that he/she needs to make full payment of the CIAC in sufficient time to allow for the construction/installation to be completed by the In Service Date.

The pricing of the CIAC quoted herein is based on the specifics of the Customer's request, including the Customer's stated In Service Date, and must be accepted by the Customer by executing and returning to the Company this Agreement by 3/4/2026 to remain valid. Should Customer alter the request for facilities, or request a delay in (or is otherwise unable to take service by) the stated In Service Date, the Company reserves the right to update the pricing and require an additional CIAC payment to reflect any increases in cost due to the alteration in requested facilities or the delay in taking service, or both.

Nothing contained herein shall be construed as a waiver or relinquishment by Company of any right it has or may hereafter have to discontinue service for default in the payment of any bill owing or to become owing hereunder for any reason or cause allowed by law.

Customer

By

Signature:

Title:

Date:

ROLANDO RAMIREZ

Rolando Ray

RRYAN'S ELECTRIC OWNER

12/11/2025

Company

By

Signature:

Title:

Date:

RRYAN'S ELECTRIC

Rolando Ray

OWNER

12/11/2025

Bid Item Averages

Bidder Rank filter needs to be set for "Low Bidder" to see low bid prices for change order justification.

Filters **Standard Specification** **Code** **Bid Item** **Actual Let Date Range** **Bidder Rank** **District** **County** **Project Classification** **Vendors** **Project Size** **Project Type** **Use Qty Filter:** **Enter Min Qty:** **Enter Max Qty:** **Show Chart**

Bids Date: 1/7/2026 7:32:00 AM

	BID_CODE	BID_ITEM_DESCR	MS_UNIT	Min. Bid Item Qty	Max. Bid Item Qty	Weighted Avg Unit Price	Min. Unit Price	Max. Unit Price	Std. dev. of Unit Price	Total Sum Bid Quantities	Distinct CCSI
	625-7003	ZINC-COAT STL WIRE STRAND (5/16")	LF	475.0	475.0	\$3.34	\$2.00	\$5.86	\$1.74	1,900.0	1
	627-7003	TIMBER POLE (CL-2) 40FT	EA	2.0	2.0	\$7,500.42	\$4,600.00	\$13,080.39	\$4,322.92	12.0	1
	628-7001	RELOCATE ELECTRICAL SERVICES	EA	1.0	1.0	\$4,584.43	\$1,500.00	\$10,393.00	\$2,950.74	7.0	1
	628-7002	REMOVE ELECTRICAL SERVICES	EA	1.0	8.0	\$854.06	\$270.00	\$2,158.00	\$468.21	153.0	8
	628-7004	ELC SRV TY A 120/240.050(NS)AL(E)SP(O)	EA	2.0	2.0	\$5,665.57	\$2,500.00	\$9,000.00	\$3,253.20	6.0	1
	628-7009	ELC SRV TY A 120/240.060(NS)SS(E)SP(O)	EA	2.0	11.0	\$9,143.09	\$6,500.00	\$10,346.81	\$1,262.69	52.0	2
	628-7010	ELC SRV TY A 120/240.060(NS)SS(E)SP(U)	EA	2.0	2.0	\$9,306.57	\$1,214.00	\$15,000.00	\$3,788.28	22.0	1
	628-7022	ELC SRV TY A 120/240.100(NS)SS(E)GC(O)	EA	1.0	1.0	\$8,333.33	\$4,500.00	\$12,000.00	\$3,752.78	30.0	1
	628-7025	ELC SRV TY A 120/240.100(NS)SS(E)SP(O)	EA	1.0	8.0	\$8,484.62	\$5,000.00	\$17,989.15	\$1,732.61	79.0	3
	628-7035	ELC SRV TY A 240/480.060(NS)AL(E)SP(O)	EA	2.0	2.0	\$11,387.62	\$7,500.00	\$12,741.56	\$1,840.51	16.0	1



January 5, 2026

Juan Carlos "Charlie" Cardenas, P.E.
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-082-016-D218 Project 1, (City of Kingsville Bid No. 24-09) – ICE CO 3 recommendation

Dear Mr. Cardenas,

This memorandum is in reference to ICE's recommendation to Change Order 3, in the amount of \$3,554.45. This change order addresses the electrical service connection that is required for the sanitary sewer lift station. The lift station shall be serviced with a 3-phase volt service to sustain the necessary function and safety.

Additionally, the amount of \$3,554.45 was provided by AEP Texas (American Electric Power) to the contractor for the proposed electric distribution service. The contractor provided ICE with the breakdown of the cost from AEP Texas and was further verified on TxDot's Low Bid Average publication.

This Change Order 3 along with Change Orders 1 and 2 will decrease the original contract amount of \$2,593,299.15 by approximately 0.81%, which falls within the 18% allowance per the GLO contract. The adjusted contract amount with this and previous change orders will be \$2,572,298.90. ICE has reviewed the contractor's change order proposal item (CO 3-1) and has verified that the new contract item is reasonably priced and within average market value.

Therefore, it is ICE's recommendation to approve Change Order 3. The City of Kingsville has the final decision to approve/not approve change orders.

If you have any questions or need additional information, please contact me at (361) 826-5805 or julio@icengineers.net

Sincerely,

A handwritten signature in black ink, appearing to read "Julio A. Macias, P.E." The signature is fluid and cursive, with "Julio A." on top and "Macias, P.E." on the line below.

Julio A. Macias, P.E.
Project Engineer

RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #3 TO THE CONSTRUCTION CONTRACT WITH DONALD HUBERT CONSTRUCTION CO. FOR THE GLO CDBG-MIT CONTRACT 22-082-016-D218 PROJECT 1: 14TH STREET SANITARY SEWER IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some sanitary sewer improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 1: 14th Street Sanitary Sewer Improvements and went out for bids via BID #24-09 which was advertised in 2024;

WHEREAS, the three bids were received on April 18, 2024 responsive to BID #24-09 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was Donald Hubert Construction Co. from Kingsville, Texas (vendor);

WHEREAS, the City awarded BID#24-09 to Vendor at a Commission meeting on August 26, 2024 for a total amount of \$2,593,299.15;

WHEREAS, the contract could not be executed because the amendment included revisions to this particular project site and the state contract amendment was not able to be fully executed until January 31, 2025;

WHEREAS, the successful low bidder was then contacted to see if their bid was still going to be honored and they agreed that they would honor the bid;

WHEREAS, the City and Vendor worked to prepare a construction contract that was approved by City Commission on April 14, 2025 via Resolution #2025-38 for GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements for the base bid (\$2,523,299.15) and for alternates nos. 1 & 2 (\$70,000.00), which together total an amount of \$2,593,299.15 with a contract time of 240 calendar days;

WHEREAS, the Change Order No.1 did three things (1) substituted approximately 600 LF of 12" PVC gravity sanitary sewer line with 6" PVC sanitary sewer force main with all appurtenances such as pipe encasement and sanitary sewer manholes, (2) relocated the driveway location for the lift station at the request of the Texas Department of Transportation, and (3) updated the HUD-4010 Federal Labor Standards Provisions documents to the most current

version, which resulted in a contract price decrease of \$36,414.70 and no change in the contract time;

WHEREAS, the City Commission via Resolution #2025-67 on July 14, 2025 approved Change Order #1 to the construction contract with Vendor for a new total contract amount of \$2,556,884.45 and the same contract time of 240 calendar days;

WHEREAS, the City Commission via Resolution #2025-99 on December 8, 2025 approved Change Order #2 (adding \$11,860.00 and 90 calendar days) to the construction contract with Vendor for a new total contract amount of \$2,568,744.45 and a new contract time of 330 calendar days;

WHEREAS, the proposed Change Order No.3 is necessary due to an unforeseen issue during construction regarding an electrical service connection expense at the lift station from the transmission provider, which results in a contract price increase of \$3,554.45 and no change in the contract time;

WHEREAS, staff is recommending the City Commission approve Change Order #3 for the construction contract with Vendor as presented for a new total amount of \$2,572,298.90 and the same contract time of 330 calendar days;

BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission approves and the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute Change Order #3 to the Construction Contract between the City of Kingsville, Texas and Donald Hubert Construction Co. for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 1: 14th Street Sanitary Sewer Improvements Project as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient: City of Kingsville	GLO Contract Number: 22-082-016-D218	Date: 1/5/2026
Engineer Name Address & Phone		Subrecipient Name, Address, & Phone Number:
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805	City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040	Contractor Name, Address & Phone Number: Donald Hubert Construction Co., Inc. P.O. Box 84 Kingsville, TX 78363 361-592-9593
Project #: 1	Bid Package #: 1	Change Order #: 3
Contract Origination Date: 4/14/2025	Project Description: Sewer lift station and force main	

You are hereby requested to comply with the following changes from the contract plans and specifications.

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion	Decrease in Contract Price	Increase in Contract
	Schedule etc.		
C0 3-1	Electrical service connection for lift station (3-phase), \$3554.45/LS, +1 LS		\$3,554.45

See sheet 2 to add additional entries

<u>Change in Construction Contract Price</u>		<u>Change in Contract Time (Calendar Days)</u>	
Original Contract Price:	2,593,299.15	Original Contract Time in Days:	240
Cumulative Previous Change Order(s) Total:	-24,554.70	Net Change from Previous Change Order(s) in Days	90
Contract Price Prior to this Change Order:	2,568,744.45	Contract Time Prior to this Change Order in Days	330
Net Increase/Decrease of this Change Order:	3,554.45	Net Increase/Decrease of this Change Order in Days:	0



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	2,572,298.90	Contract Time with All Approved Change Orders in Days:	330
Cumulative Percent Change in Contract Price (+/-)	-0.81%	Subrecipient Contract End Date:	1/31/2027
Construction Contract Start Date:	5/5/2025	Construction Contract End Date:	3/31/2026

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

Subrecipient Signature	Julio A. Macias, P.E.	Contractor Signature
Charlie L. Sosa, City Manager	Julio A. Macias, P.E., Project Engineer	Donald W. Hubert, President
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)
Subrecipient Signature	Engineer Signature	Contractor Signature

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? Increase Decrease No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work: Increase Decrease No Change

3. Effect on operation and maintenance costs: Increase Decrease No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? Yes No

If "no", explain:

Item CO 3-1 is a new item that the electrical service provider is requiring to run proper electrical service needed for the new lift station.

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? Yes No

If "yes", is an environmental assessment required?

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COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? Yes No

7. Is the CCN permit still valid? (sewer projects only) Yes No

8. Are the disability access requirements/approval still valid (if applicable)? Yes No

9. Are other Disaster Recovery contractual special condition clearances still valid? Yes No

If "no", explain:

***Disclaimer:** The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.*

AGENDA ITEM #16

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, City Manager
FROM: Charlie Cardenas, P.E., City Engineer
DATE: January 12, 2026
SUBJECT: Consider Approving Change Order No. 4 Bid No. 24-19 for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 Project 2 – 19th Street Improvements

Purpose:

Consider approving Change Order No. 4 (CO-4) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237. CO-4 is to increase the contract cost by \$17,250.00 and contract time by **60 calendar days**.

This change order addresses unforeseen issues during construction, including utility adjustments with a conflict with the 6' x 4' concrete box being constructed. As a result a change in design will need to be added to include a larger 7' x 4' concrete box. However, time has lapsed in the contract time and another time extension will be needed in order to continue construction.

Summary:

GLO Change Order No. 4 – Construction and Contract Time

Description	Calendar Days
Time extension for R.S. Parker contract	60
1 7'x4' cast in place junction box LS	<u>\$17,250.00</u>

Contract Price and Time

\$1,648,054.96 and 465 Calendar Days

Background:

As part of the GLO CDBG-MIT Hurricane Harvey State Mitigation Competition grant. Project 2 – 19th Street Improvements is a critical component of the city's infrastructure upgrades. This project includes the installation of box culverts along 19th Street from Kenedy Ave to Tranquitas Creek, junction boxes, and related appurtenances.



**City of Kingsville
Engineering Dept.**

Financial Impact:

The cost of CO-4 is \$17,250.00 (Fund 122) which is grant funded.

Recommendation:

Staff recommends approving the Change Order No. 4 for CDBG-MIT GLO Contract No. 22-085-009-D237 – Project 2 (19th Street Improvements) in the amount of \$17,250.00 and for the increased 60 calendar days.

Attachments:

- Project 2 GLO Change Order No. 4
- Engineer's recommendation





January 8, 2026

Juan Carlos "Charlie" Cardenas, P.E.
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-085-009-D237 Project 2, (City of Kingsville Bid No. 24-19) – ICE CO 4 recommendation

Dear Mr. Cardenas,

This memorandum is in reference to ICE's recommendation to Change Order 4, in the amount of \$17,250.00.

During the week of September 15, 2025, a city wastewater line was discovered to be in direct conflict with the 6'x4' reinforced concrete box being constructed. Representatives from International Consulting Engineers, City Engineering & Public Works, and R.S. Parker Construction met onsite to discuss the conflict and possible solutions.

ICE's solution to this conflict is to construct a cast-in-place concrete junction box that will adjust the flowline elevation to avoid the wastewater line conflict. The box was designed and submitted to the R.S. Parker Construction for a proposal request. The amount of \$17,250.00 was proposed by the contractor and was further verified. ICE utilized TxDot's Low Bid Average publication and previous bids for similar items. Moreover, ICE reviewed and researched this proposed cost and can verify that it is reasonable for the current market.

A 60-day construction contract extension is ICE's recommendation to allow the contractor to execute the utility conflict solution, finalize construction, and execute closeout documents.

The construction contract end date will be extended from the previous date of February 11, 2026 to April 12, 2026. This Change Order 4 will increase the original contract amount of \$1,630,804.89 by approximately **1.06%**, which falls within the 25% allowance per the GLO contract. The adjusted contract amount with this change order will be \$1,648,054.96. ICE has reviewed the contractor's change order proposal item (CO 4-1) and has verified that the new contract item is reasonably priced and within average market value.

Therefore, it is ICE's recommendation to approve Change Order 4. The City of Kingsville has the final decision to approve/not approve change orders. If you have any questions or need additional information, please contact me at (361) 826-5805 or julio@icengineering.net

Sincerely,

A handwritten signature in black ink, appearing to read "Julio A. Macias, P.E." The signature is fluid and cursive.

Julio A. Macias, P.E.
Project Engineer

R.S. Parker Construction LLC
455 Hereford Rd.
Corpus Christi, TX 78408
361-289-0222 FAX 361-289-2413

Subcontractor

Proposal

Project Name:

Date: 1/8/2026

GLO Kingsville Project 2 - N 19th St.

Description of Work:

Add Cast-in-Place Junction Box

By: Rodney & Derek Parker

HUB# 1943428306500

Description	Qty	Unit	Labor Unit	Material Unit	Equip Unit	Combined Cost	Labor Cost	Material Cost	Cost	Total
Additional Work										
Add Cast in Place Junction Box	1	EA	3,750.00	7,500.00	3,750.00	15,000.00	3,750	7,500	3,750	15,000
							-	-	-	-
							-	-	-	-
Items Not Included:	Material Testing, Bonds, Top Soil & Landscaping									
Subtotal	OH&P 15 %				3,750	7,500	3,750	15,000		
					-	-	-	-		
					562.50	1,125.00	562.50	2,250.00		
Total					4,312.50	8,625.00	4,312.50	17,250.00		

R. S. Parker Construction, LLC.
455 Hereford Rd.
Corpus Christi, TX 78408
Phone: 361-289-0222 Fax: 361-289-2413

Project Time Extension Request

January 8, 2026, 2025

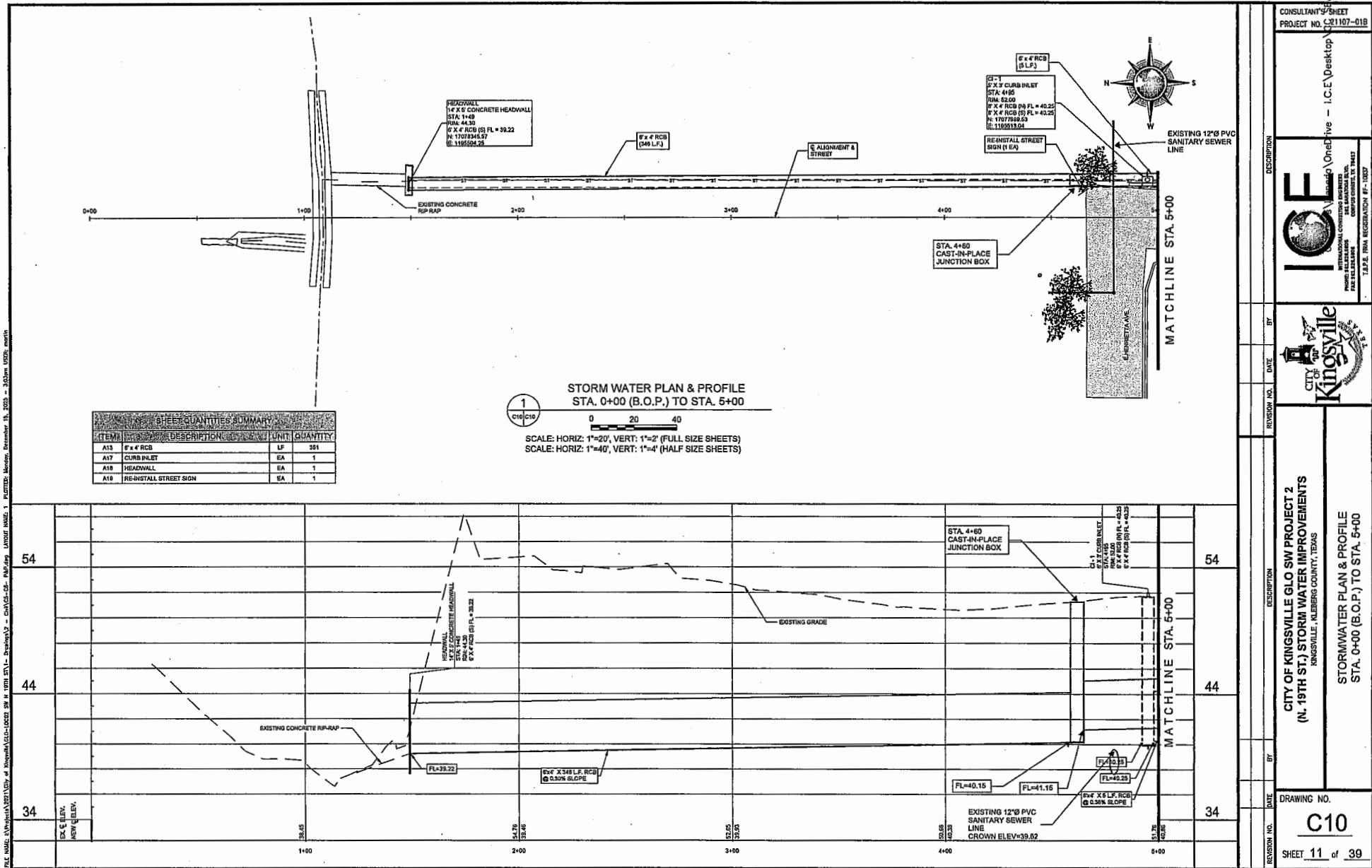
ATTN: Martin Medrano, Charlie Cardenas

Re: City of Kingsville GLO SW Project 2 (N. 19th St.) Storm Water Improvements

The purpose of this letter is to request an additional 60 Day Extension to the project end date for the City of Kingsville GLO SW Project 2 (N. 19th St.) Storm Water Improvements project. R. S. Parker Construction is requesting this delay in response to the project suspension issued by Charlie Cardenas on September 19th, 2025 regarding the discovered conflict with the existing sanitary sewer system and the proposed box culvert installation design delays. R.S. Parker Construction is requesting this 60-Day extension to the proposed project end-date, to April 12, 2026. Please consider that any days that pass from the submission of this letter until the approval of design changes may need to be added to the project time-line in the future. Thank you for your understanding and consideration.

If you have any questions please contact Rodney Parker on his cell 361-533-1307 or Derek Parker on his cell 361-960-1662.

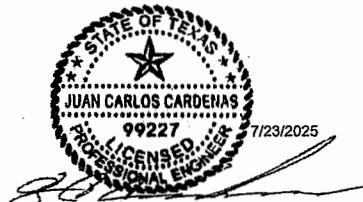
Respectfully Submitted,
Rodney S. Parker/Derek Parker
HUB Contractor #: 1943428306500



City of Kingsville GLO SW Project 14 (GLO Contract No. 22-085-009-D237) Bid Tabulation

Bid Opening Date and Location: July 8, 2025 - City Hall

400 W. King Ave., Kingsville, TX 78363



BASE BID		Grace Paving & Construction Inc.				D&J Utility Services LLC		D&M Underground Corp.		White Star Services LLC		RS Parker Construction	
ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT
A1	Mobilization/Bonds/Insurance	1	LS	\$69,096.00	\$69,096.00	\$100,000.00	\$100,000.00	\$81,000.00	\$81,000.00	\$101,070.00	\$101,070.00	\$65,625.00	\$65,625.00
A2	Traffic Control	1	LS	\$7,656.75	\$7,656.75	\$100,000.00	\$100,000.00	\$28,000.00	\$28,000.00	\$20,775.50	\$20,775.50	\$56,250.00	\$56,250.00
A3	Utility Adjustment	1	LS	\$6,150.00	\$6,150.00	\$7,500.00	\$7,500.00	\$20,000.00	\$20,000.00	\$2,807.50	\$2,807.50	\$6,875.00	\$6,875.00
A4	SWPP (Erosion Control Log)	112	LF	\$4.39	\$491.68	\$10.00	\$1,120.00	\$10.00	\$1,120.00	\$15.16	\$1,697.92	\$25.00	\$2,800.00
A5	Remove Existing Street Asphalt	2860	SY	\$18.76	\$53,653.60	\$20.00	\$57,200.00	\$20.00	\$57,200.00	\$101.07	\$289,060.20	\$12.92	\$36,951.20
A6	Mill Existing Street Asphalt	1724	SY	\$3.92	\$6,758.08	\$5.50	\$9,482.00	\$18.00	\$31,032.00	\$8.42	\$14,516.08	\$31.49	\$54,288.76
A7	Remove Existing Curb	780	LF	\$5.83	\$4,547.40	\$15.00	\$11,700.00	\$6.00	\$4,680.00	\$4.49	\$3,502.20	\$12.50	\$9,750.00
A8	Remove Existing Curb & Gutter	468	LF	\$5.85	\$2,737.80	\$15.00	\$7,020.00	\$6.00	\$2,808.00	\$17.41	\$8,147.88	\$18.95	\$8,868.60
A9	Remove Existing Sidewalk Concrete	85	SY	\$38.00	\$3,230.00	\$135.00	\$11,475.00	\$3.00	\$255.00	\$19.99	\$1,699.15	\$18.75	\$1,593.75
A10	Remove Existing Concrete Valley Gutter	209	SY	\$15.83	\$3,084.87	\$135.00	\$28,215.00	\$20.00	\$4,180.00	\$48.29	\$10,092.61	\$25.60	\$5,350.40
A11	Remove Existing Concrete	12	SY	\$97.38	\$1,168.56	\$135.00	\$1,620.00	\$100.00	\$1,200.00	\$89.84	\$1,078.08	\$20.00	\$240.00
A12	Remove Existing Concrete Rip Rap	12	SY	\$94.30	\$1,131.60	\$135.00	\$1,620.00	\$100.00	\$1,200.00	\$89.84	\$1,078.08	\$15.00	\$180.00
A13	H.M.A.C. Pavement	2735	SY	\$62.93	\$172,113.55	\$38.00	\$103,930.00	\$25.00	\$68,375.00	\$114.55	\$313,294.25	\$81.03	\$221,617.05
A14	Asphalt Repair	884	SY	\$63.32	\$55,974.88	\$200.00	\$176,800.00	\$43.00	\$38,012.00	\$89.84	\$79,418.56	\$75.00	\$66,300.00
A15	Overlay Milled Asphalt	1724	SY	\$26.99	\$46,530.76	\$38.00	\$65,512.00	\$25.00	\$43,100.00	\$48.29	\$83,251.96	\$31.49	\$54,288.76
A16	Repair Existing Curb & Gutter	432	LF	\$35.75	\$15,444.00	\$40.00	\$17,280.00	\$38.00	\$16,416.00	\$31.44	\$13,582.08	\$41.06	\$17,737.92
A17	Repair Existing Sidewalk Concrete	67	SY	\$86.28	\$5,780.76	\$180.00	\$12,060.00	\$55.00	\$3,685.00	\$111.18	\$7,449.06	\$56.25	\$3,768.75
A18	5' Concrete Valley Gutter	47	LF	\$102.06	\$4,796.82	\$120.00	\$5,640.00	\$95.00	\$4,465.00	\$132.51	\$6,227.97	\$62.50	\$2,937.50
A19	Curb Inlet	14	EA	\$2,889.97	\$40,459.58	\$8,500.00	\$119,000.00	\$5,800.00	\$81,200.00	\$4,604.30	\$64,460.20	\$8,125.00	\$113,750.00
A20	Junction Box Type 'A'	11	EA	\$11,490.29	\$126,393.19	\$9,500.00	\$104,500.00	\$22,500.00	\$247,500.00	\$5,951.90	\$65,470.90	\$31,250.00	\$343,750.00
A21	Grate Inlet	4	EA	\$4,305.62	\$17,224.48	\$8,500.00	\$34,000.00	\$8,500.00	\$34,000.00	\$4,604.30	\$18,417.20	\$7,500.00	\$30,000.00
A22	12"Ø RCP Class V	662	LF	\$66.88	\$44,261.32	\$120.00	\$75,440.00	\$117.00	\$77,454.00	\$87.59	\$57,984.58	\$93.75	\$62,062.50
A23	24"Ø RCP Class V	1934	LF	\$102.30	\$197,848.20	\$150.00	\$293,100.00	\$216.00	\$417,744.00	\$157.22	\$304,063.48	\$125.00	\$241,750.00
A24	6"x1' RCB	371	LF	\$57.95	\$169,903.16	\$600.00	\$222,600.00	\$865.00	\$320,915.00	\$643.48	\$238,731.08	\$1,000.00	\$371,000.00
A25	Waste Water Line Crossing	1	EA	\$39,000.00	\$39,000.00	\$7,500.00	\$7,500.00	\$25,000.00	\$25,000.00	\$6,344.95	\$6,344.95	\$12,500.00	\$12,500.00
A26	ADA Parallel Curb Ramp	1	EA	\$4,059.00	\$4,059.00	\$3,500.00	\$3,500.00	\$3,800.00	\$3,800.00	\$4,098.95	\$4,098.95	\$1,875.00	\$1,875.00
A27	ADA Perpendicular Curb Ramp	1	EA	\$4,059.00	\$4,059.00	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$4,098.95	\$4,098.95	\$1,875.00	\$1,875.00
A28	Concrete Apron	18	SY	\$121.29	\$2,189.22	\$180.00	\$3,240.00	\$100.00	\$1,800.00	\$140.38	\$2,526.84	\$100.00	\$1,800.00
A29	Repair Existing Concrete	12	SY	\$174.25	\$2,091.00	\$180.00	\$2,160.00	\$350.00	\$4,200.00	\$140.38	\$1,684.56	\$168.75	\$2,025.00
A30	Repair Existing Concrete Rip Rap	12	SY	\$174.25	\$2,091.00	\$180.00	\$2,160.00	\$350.00	\$4,200.00	\$140.38	\$1,684.56	\$225.00	\$2,700.00
Total Base Bid		\$1,110,141.86				\$1,589,874.00		\$1,628,541.00		\$1,728,315.33		\$1,800,510.19	

ADDITIONAL ALTERNATE BID NO. 1		Grace Paving & Construction Inc.				D&J Utility Services LLC		D&M Underground Corp.		White Star Services LLC		RS Parker Construction	
ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT
B1	Refl Pav Mrk Ty 3 (W) 4" (SLD)	780	LF	\$2.42	\$1,887.60	\$3.00	\$2,340.00	\$5.00	\$3,900.00	\$6.60	\$5,148.00	\$2.75	\$2,145.00
B2	Refl Pav Mrk Ty 1 (W) 8" (SLD)	40	LF	\$6.60	\$264.00	\$4.00	\$160.00	\$5.00	\$200.00	\$18.00	\$720.00	\$7.50	\$300.00
B3	Refl Pav Mrk Ty 1 (W) 12" (SLD) Stop Bar	30	LF	\$17.60	\$528.00	\$30.00	\$900.00	\$15.00	\$450.00	\$48.00	\$1,440.00	\$20.00	\$600.00
B4	Refl Pav Mrk Ty 1 (Y) 4" (SLD)	675	LF	\$2.42	\$1,633.50	\$3.00	\$2,025.00	\$5.00	\$3,375.00	\$6.60	\$4,455.00	\$2.75	\$1,856.25
B5	Refl Pav Mrk Ty 1 (Y) 4" (BRK)	600	LF	\$2.42	\$1,452.00	\$4.00	\$2,400.00	\$5.00	\$3,000.00	\$6.60	\$3,960.00	\$2.75	\$1,650.00
B6	Crosswalk Marking	1	EA	\$1,760.00	\$1,760.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$4,800.00	\$4,800.00	\$2,000.00	\$2,000.00
B7	Bike Symbol W/ Arrow	2	EA	\$247.50	\$495.00	\$350.00	\$700.00	\$1,000.00	\$2,000.00	\$450.00	\$900.00	\$281.25	\$562.50
Total Additive Alternate Bid No. 1		\$8,020.10				\$10,025.00		\$14,425.00		\$21,423.00		\$9,113.75	

RECOMMENDED AWARD OPTIONS		Grace Paving & Construction Inc.				D&J Utility Services LLC		D&M Underground Corp.		White Star Services LLC		RS Parker Construction	
OPTION	DESCRIPTION	1	BASE BID AND ADD. ALT. BID NO. 1.	\$1,118,161.96	\$1,599,899.00	2	BASE BID	\$1,110,141.86	\$1,589,874.00	\$1,628,541.00	\$1,728,315.33	\$1,800,510.19	

Denotes error in bid packet.

BID TABULATION

City of Kingsville

Project Name: GLO SW Project 10 (N Armstrong St.) Storm Water Improvements (CDBG-MIT GLO CONTRACT NO. 22-085-009-D237)

Bid Number: BID #25-13

Date: March 18, 2025

Location: Helen Groves Community Room

400 W King Ave, Kingsville, TX 78363



ITEM	QTY (Original)	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID:									
A1	1	L.S.	Mobilization/ Bonds/ Insurance	\$50,000.00	\$50,000.00	\$15,200.00	\$15,200.00	\$200,000.00	\$200,000.00
A2	1	L.S.	Traffic Control	\$50,000.00	\$50,000.00	\$53,200.00	\$53,200.00	\$25,000.00	\$25,000.00
A3	1	L.S.	Utility Adjustment	\$7,500.00	\$7,500.00	\$22,800.00	\$22,800.00	\$75,000.00	\$75,000.00
A4	358	L.F.	SWPP (Erosion Control Log)	\$10.00	\$3,580.00	\$15.20	\$5,441.60	\$25.00	\$8,950.00
A5	364	S.Y.	Remove Existing Street Asphalt	\$10.00	\$3,640.00	\$37.37	\$13,602.68	\$85.00	\$30,940.00
A6	93	S.Y.	Remove Existing Sidewalk Concrete	\$90.00	\$8,370.00	\$15.20	\$1,413.60	\$50.00	\$4,650.00
A7	420	L.F.	Remove Existing Curb & Gutter	\$10.00	\$4,200.00	\$15.20	\$6,384.00	\$35.00	\$14,700.00
A8	4	EA	Remove Existing Junction Box	\$3,500.00	\$14,000.00	\$1,824.00	\$7,296.00	\$3,000.00	\$12,000.00
A9	364	S.Y.	Repair Existing Street Asphalt	\$150.00	\$54,600.00	\$88.16	\$32,090.24	\$200.00	\$72,800.00
A10	93	S.Y.	Repair Existing Sidewalk Concrete	\$180.00	\$16,740.00	\$49.03	\$4,559.79	\$175.00	\$16,275.00
A11	280	L.F.	Repair Existing Curb & Gutter	\$30.00	\$8,400.00	\$38.00	\$10,640.00	\$100.00	\$28,000.00
A12	11	EA	Junction Box Type 'A'	\$8,500.00	\$93,500.00	\$8360.00	\$91,960.00	\$18,000.00	\$198,000.00
A13	15	EA	Curb Inlet with Throwat Extension	\$8,500.00	\$127,500.00	\$12,920.00	\$193,800.00	\$20,000.00	\$300,000.00
A14	148	L.F.	18" DIA RCP Class V	\$130.00	\$19,240.00	\$116.79	\$17,284.92	\$325.00	\$48,100.00
A15	119	L.F.	24" DIA RCP Class V	\$150.00	\$17,850.00	\$130.80	\$15,565.20	\$350.00	\$41,650.00
A16	43	L.F.	36" DIA RCP Class V	\$240.00	\$10,320.00	\$185.30	\$7,967.90	\$500.00	\$21,500.00
TOTAL BASE BID:				\$489,440.00		\$499,205.93		\$1,097,565.00	
ALTERNATE BID 1:									
B1	13756	S.Y.	Mill Existing Street Asphalt	\$5.50	\$75,658.00	\$6.30	\$86,662.80	\$3.00	\$41,268.00
B2	13755	S.Y.	Overlay Existing Street Asphalt	\$38.00	\$522,690.00	\$41.32	\$568,356.60	\$30.00	\$412,650.00
TOTAL BASE BID:				\$598,348.00		\$655,019.40		\$453,918.00	
TOTAL BASE BID				\$1,087,788.00		\$1,154,225.33		\$1,551,483.00	

* DENOTES ERROR IN BID

BID RESULTS RANKING

1

2

3

Bid Item Averages

Bidder Rank filter needs to be set for "Low Bidder" to see low bid prices for change order justification. Data Date: 1/3/2026 12:57:43 PM

Filters: **Standard Specification Code:** **Adjust filters to refine your analysis of bid item average costs.** **Use Qty Filter:** **NO** **Enter Min Qty:** **0** **Enter Max Qty:** **16,613,560** **Show Chart**

BID_CODE	BID_ITEM_DSCR	MS_UNIT	Min. Bid Item Qty	Max. Bid Item Qty	Weighted Avg Unit Price	Min. Unit Price	Max. Unit Price	Std. dev. of Unit Price	Total Sum Bid Quantities	Distinct CCSJ
(All)										
Bid Item:	(All)	465-7005 JCTBOX(COMPL)(PJB)(3FTX3FT)	EA	1.0	6.0	\$6,442.42	\$4,975.00	\$26,343.25	\$4,114.32	66.0
Actual Let Date Range:	Last 3 months	465-7006 JCTBOX(COMPL)(PJB)(4FTX4FT)	EA	1.0	24.0	\$8,698.47	\$5,360.02	\$13,071.25	\$1,822.14	215.0
Bidder Rank:	All Bidders	465-7007 JCTBOX(COMPL)(PJB)(3FTX5FT)	EA	1.0	1.0	\$12,807.70	\$9,862.00	\$15,588.51	\$2,289.74	7.0
District:	(All)	465-7009 JCTBOX(COMPL)(PJB)(5FTX5FT)	EA	1.0	3.0	\$11,064.45	\$4,998.50	\$18,760.00	\$3,317.81	58.0
County:	(All)	465-7011 JCTBOX(COMPL)(PJB)(6FTX6FT)	EA	1.0	3.0	\$12,275.24	\$8,080.00	\$20,719.16	\$3,084.60	36.0
Project Classification:	(All)	465-7012 JCTBOX(COMPL)(PJB)(8FTX8FT)	EA	1.0	2.0	\$21,064.99	\$9,953.00	\$32,424.94	\$5,987.02	28.0
Vendors (Select to Exclude):	(All)	465-7013 INLET (COMPL)(PCO)(3FT)(NONE)	EA	1.0	4.0	\$7,313.51	\$4,600.00	\$9,477.00	\$1,291.45	48.0
Project Size:	(All)	465-7014 INLET (COMPL)(PCO)(3FT)(LEFT)	EA	1.0	7.0	\$7,898.46	\$4,288.05	\$13,533.81	\$2,088.06	51.0
Project Type:	(All)	465-7015 INLET (COMPL)(PCO)(3FT)(RIGHT)	EA	1.0	9.0	\$7,756.15	\$4,800.00	\$10,461.03	\$1,371.17	51.0
		465-7016 INLET (COMPL)(PCO)(3FT)(BOTH)	EA	11.0	14.0	\$6,203.77	\$4,900.00	\$9,940.00	\$1,462.65	142.0

RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #3 FOR THE CONSTRUCTION CONTRACT WITH R.S. PARKER CONSTRUCTION LLC FOR THE GLO CDBG-MIT CONTRACT 22-085-009-D237 PROJECT 2: N. 19TH STREET- STORM WATER IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some sanitary sewer improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 2: N. 19th Street- Storm Water Improvements Project and went out for bids via BID #24-19 which was advertised on August 22nd & 29th, 2024;

WHEREAS, three bids were received on September 17, 2024 responsive to BID #24-19 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was R.S. Parker Construction LLC, from Corpus Christi, Texas (Vendor);

WHEREAS, the City awarded BID#24-19 to Vendor at a Commission meeting on October 15, 2024 for a total amount of \$1,630,804.89;

WHEREAS, the City and Vendor worked to prepare a contract for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 2: N. 19th Street Storm Water Improvements Project; the parties both agreed to the terms of the proposed contract for a total amount of \$1,630,804.89 with a contract time of 180 calendar days, which was approved by City Commission on October 28, 2024 via Resolution #2024-85;

WHEREAS, the total award and the contract price showed a minor difference due to a clerical error so an increase of \$0.07 was proposed and 75 additional days were requested due to delays in receiving materials (reinforced concrete boxes) for the project that are beyond the control of the Vendor, and these changes were approved by City Commission on February 24, 2025 via Resolution #2025-24 authorizing Change Order No.1 for a new total contract price of \$1,630,804.96 and a new contract time of 255 calendar days;

WHEREAS, there were additional delays beyond the control of the Vendor for the delivery of the reinforced concrete boxes for this project so an additional 60 days was requested for the contract time period, and the wage schedule rate was changed from a highway classification to a heavy classification, which required Change Order No.2, which was approved by the City Commission via Resolution

#2025-48 on April 28, 2025, and resulted in no change to the total contract price of \$1,630,804.96 and a new contract time of 315 calendar days;

WHEREAS, there have been unforeseen issues during construction, including utility adjustments with a conflict with the 6'x4' concrete box being constructed, that resulted in a change in design causing a need for 90 additional contract days;

WHEREAS, the unforeseen issues require 90 calendar days be requested for the contract time period, which requires Change Order No.3 that would result in no change to the total contract price of \$1,630,804.96 and a new contract time of 405 calendar days;

BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission approves and the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute Change Order No.3 for the Construction Contract for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 2: N. 19th Street -Storm Water Improvements Project between the City of Kingsville, Texas and R.S. Parker Construction LLC as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient	City of Kingsville	GLO Contract Number:	22-085-009-D237	Date:	1/8/2026
Engineer Name Address & Phone		Subrecipient Name, Address, & Phone Number:		Contractor Name, Address & Phone Number:	
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805		City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040		R.S. Parker Construction, LLC 455 Hereford Rd. Corpus Christi, TX 78408 361-289-0222	
Project #:	2	Bid Package #:	1	Change Order #:	4
Contract Origination Date	10/28/2024		Project Description:	Storm Water Improvements	

You are hereby requested to comply with the following changes from the contract plans and specifications.

See sheet 2 to add additional entries

Change in Construction Contract Price

Original Contract Price: 1,630,804.89

Cumulative Previous 0.00
Change Order(s) Total:

Contract Price Prior to
this Change Order: **1,630,804.96**

Net Increase/Decrease
of this Change Order:

Change in Contract Time (Calendar Days)

Original Contract Time in Days: 180

Net Change from Previous Change Order(s) in Days 225

Contract Time Prior to this Change Order in Days

405

Net Increase/Decrease of this Change Order in Days:

60

Effective June 2020



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	1,648,054.96	Contract Time with All Approved Change Orders in Days:	465
Cumulative Percent Change in Contract Price (+/-)	1.06%	Subrecipient Contract End Date:	1/31/2027
Construction Contract Start Date:	1/2/2025	Construction Contract End Date:	4/12/2026

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

Subrecipient Signature	Engineer Signature	Contractor Signature
Charlie L. Sosa, City Manager	Julio A. Macias, P.E., Project Engineer	Rodney S. Parker, President
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)
Subrecipient Signature	Engineer Signature	Contractor Signature

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? Increase Decrease No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work: Increase Decrease No Change

3. Effect on operation and maintenance costs: Increase Decrease No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? Yes No

If "no", explain:

CO 4-1 is a new item that is required to resolve a previously unknown wastewater line crossing that is interfering with the concrete boxes flow line.

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? Yes No

If "yes", is an environmental assessment required?

Environmental Assessment Required?



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? Yes No

7. Is the CCN permit still valid? (sewer projects only) Yes No

8. Are the disability access requirements/approval still valid (if applicable)? Yes No

9. Are other Disaster Recovery contractual special condition clearances still valid? Yes No

If "no", explain:

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

AGENDA ITEM #17

**City of Kingsville
Public Works Department**

TO: Mayor and City Commissioners
CC: Charles Sosa, City Manager
FROM: William Donnell, Public Works Director
DATE: January 30, 2026
SUBJECT: Emergency Purchase for the North and South Wastewater Treatment Plants Blowers

Summary:

This item authorizes the purchase of four Sulzer blowers from Global WET LLC for emergency repairs for the Wastewater Department's North and South Wastewater Treatment Plants (WWTP) blower systems.

Background:

In 2006, the City of Kingsville City installed two variable speed Turblex blowers, one at each WWTP. Keeping one original blower at each WWTP for a backup blower. Both treatment plants have been limping along on failing blowers for past few years, repairing the Turblex blowers has become a common electrical issue from replacing PLC's, relays to soft starts and is nearly impossible to get parts for repair.

The SWWTP Turblex, has been down for months and several technicians have come and gone out but have not been able to repair the unit. Final recommendation from Turblex is to replace the entire electrical system at a cost of \$139,660.00. The plant is surviving on the original 1970's Spencer backup blower. This blower was rebuilt about 8 years ago but has since had several emergency repairs.

The NWWTP is in a similar situation with the Turblex, it's working at about 55% and the original 1970's Hoffman backup blower is out of service due to a soft start/motor issue that has taken months of electrical analyzing to determine the issue. Lewis Electric has ordered a new motor and will be installing it on the North Plant Hoffman blower as soon as it is delivered.

Biological treatment (aeration) is one of the most important processes in a WWTP to maintain TCEQ permit compliance, and the equipment for both NWWTP and SWWTP are in critical condition with obsolete spare parts that are difficult to obtain.

Global Wet is a sole source supplier for Sulzer Magnetic Bearing Turbo Blowers and will install new blowers for the NWWTP (\$1,306,200.00) account 135-5-7001-71200 and SWWTP



**City of Kingsville
Public Works Department**

(\$1,166,200.00 blower + \$25,420.00 expedited shipping=\$1,191,620) account 135-5-7002-71200. The total project cost is \$2,497,820.00.

Financial Impact:

Source of funding is the GLO MIT-MOD grant, Fund 135.

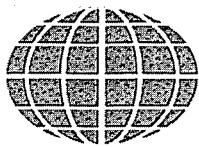
Below is the budget that has been setup for this grant
It is fund 135-GLO MIT Prog Grant Fund. We budgeted in FY 25-26:

- \$1,024,936 in 135-5-6002-71702
- \$441,817 in 135-5-7001-31400
- \$1,306,200 in 135-5-7001-71200
- \$1,191,620 in 135-5-7002-71200
- Total \$3,964,573

Recommendation:

Staff is requesting approval for the purchase and installation of four Sulzer Magnetic Bearing Turbo Blowers from sole source Global WET LLC for emergency repairs for the Wastewater Department's North and South WWTP blower systems.





Global WET

Quote Cover Page

TO: City of Kingsville

Date: April 9th 2024

Project: North & South Plant Blower Improvements

Engineer: NA

All equipment, delivery details, terms and conditions, freight and service are described in the manufacturers' individual proposals. These proposals have been sent electronically via email, are attached or will be sent under separate cover. Thank you for this opportunity and we look forward to working with you.

North Plant Turbo Blowers Installed Probable Cost					
Item	QTY	Equipment	Manufacturer	Unit Price	Total Price
1	2	Magnetic Bearing Turbo Blowers - 250 HP HST 30-36-1U250-48	Sulzer HST	\$341,500	\$683,000
		Turbocompressor. 4550 SCFM @6.7psig. Ethernet/IP. Master Control Unit. Inlet/Outlet accessories. Electrical, wiring, conduit upgrades. Spare parts. 2 year warranty. Start up & Training.			
2	1	PLC Panel for DO Control	Sulzer HST	Included	-
3	1	Labor: Demo and remove existing Blowers. Reconfigure existing Piping. Install new Blowers. Make electrical improvements. Upgrade existing MCC. Install control panel.	Global WET	\$250,000	\$250,000
4	1	Admin. Project Management Insurance and Bonding	NA	10%	\$93,300
5	1	Contingency	NA	15%	\$139,950
6	1	Overhead and Profit	NA	15%	\$139,950
				TOTAL	\$1,306,200

South Plant Turbo Blowers Installed Probable Cost					
Item	QTY	Equipment	Manufacturer	Unit Price	Total Price
1	2	Magnetic Bearing Turbo Blowers - 150 HP HST 20-4500-1-U150-48	Sulzer HST	\$300,500	\$601,000
		Turbocompressor. 3010 SCFM @6.3psig. Ethernet/IP. Master Control Unit. Inlet/Outlet accessories. Electrical, wiring, conduit upgrades. Spare parts. 2 year warranty. Start up & Training.			
2	1	PLC Panel for DO Control	Sulzer HST	Included above	-
3	1	Labor: Demo and remove existing Blowers. Reconfigure existing Piping. Install new Blowers. Make electrical improvements. Upgrade existing MCC. Install control panel.	Global WET	\$232,000	\$232,000
4	1	Admin. Project Management Insurance and Bonding	NA	10%	\$83,300
5	1	Contingency	NA	15%	\$124,950
6	1	Overhead and Profit	NA	15%	\$124,950
				TOTAL	\$1,166,200

North & South Plants Total Installed Cost **\$2,472,400**

Should you have any questions please contact us at your convenience.
Joju Abraham. 512-560-9952

From: Poer, Trey trey.poer@sulzer.com 
Subject: FW: HST Fast Delivery Stock Inventory - 12.11.2025
Date: January 23, 2026 at 5:26 PM
To: Joju Abraham (jabraham@globalwet.com) jabraham@globalwet.com



Joju

In response to the additional amounts for the fast track configuration + air freight costs....

Global WET up charges.

HST machine adder of =	\$15,620
Air Freight delivery of =	\$9,800
Total =	\$25,420

We reduced the margins and multiplier to soften the blow.

Sincerely,

Trey Poer
Product Manager - HST
Flow Division
Sulzer Pumps Solutions Inc.
155 Ahlstrom Way
Easley, SC 29640
Mobile +1 830 777 6189
trey.poer@sulzer.com
www.sulzer.com

SULZER

CONFIDENTIALITY NOTICE

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SULZER CONFIDENTIAL



Sulzer Pumps Solutions Inc.
155 Aahlstrom Way
Easley, SC 29640
www.sulzer.com

25 July 2025

To Whom it May Concern:

The purpose of this letter is to confirm that Global Wet Inc., Headquartered in Austin, Texas, is the sole Distributor contracted for Sulzer wastewater (formerly ABS) products, including pumps, mixers, blowers and aerators, for the Municipal Wastewater Collection market. Global Wet's territory includes the entire state of Texas.

Nationally, we utilize a network of independent distributors/service centers to serve the Municipal, Industrial, Building Trades and Dewatering market segments in specific territories.

The authorized distributor for Sulzer products in these segments/territories has the expertise, knowledge, training and access to the latest product developments and upgrades, along with genuine OEM parts. Global Wet is trained in the latest methods in care and start-up of our equipment and can execute warranty claims.

Please do not hesitate to contact me if I can provide any additional information.

Sincerely,

Trey Poer
HST Product Manager
Sulzer Pump Solutions
(830) 777-6189
trey.poer@sulzer.com

PART 1 GENERAL**1.01 SUMMARY**

A. This section includes furnishing; installing and placing into successful operation model HST 30 Sulzer Turbocompressor complete with accessories. Each blower shall be provided with an inlet filter, inlet silencer, outlet flexible joint, outlet silencers, back flow barrier, manual isolation valve, blow-off valve and silencers, motor cooling air outlet silencer, acoustic sound enclosure, VFD, local control panel, magnetic bearings and other appurtenances as described in this specification section needed for a complete system. The same supplier shall furnish the turbocompressors and accessories.

1. Each single-stage radial centrifugal turbocompressor is to be designed to provide oil-free air to the aeration system.
2. The turbocompressor and control cabinet shall be mounted on a common base plate.
3. A UL listed VFD shall vary the turbocompressor speed to provide continuous flow control and power optimization according to the changes in the process (air flow and differential pressure) and ambient conditions (ambient temperature and relative humidity) automatically without operator interface when the controls are in the auto or remote modes.
4. The speed of the blowers shall be varied using either the local Control Panel Touchscreen or a Master Control Panel to assure the turbocompressor(s) are operating at maximum efficiency.
5. Accessories shall be as shown on the contract drawings and described in this specification.

B. Insert Applicable Related Specification Sections here: (As Required)

1.02 REFERENCES

A. The turbocompressor and accessories shall be in accordance with the referenced standards listed below.

1. American Iron and Steel Institute (AISI).
2. American National Standards Institute (ANSI).
3. International Standards Organization (ISO) 5389: 1992 – Turbocompressor.
4. ASME PTC 10 – 1974, reaffirmed 1986 Compressors & Exhausters

1.03 SYSTEM DESCRIPTION**A. Design Requirements**

1. Site conditions:	feet (above sea level)
a. Elevation:	°F to °F
b. Inlet air temperature range:	% to %
c. Relative humidity range:	°F to °F
d. Blower room temperature:	
2. Quantity of turbocompressor:	
3. Air flow rate per turbocompressor:	scfm
4. Total design air flow rates:	scfm
5. Discharge pressure:	psig
6. Horsepower per turbocompressor:	hp
7. Maximum design speed:	rpm maximum
8. Maximum input current per turbocompressor:	amps maximum
9. Voltage / Phase / Hertz:	480 volts / 3 phase / 60 hertz
10. Enclosure:	IP33D / NEMA2

1.04 DEFINITIONS

- A. Continuous operation shall be defined as 24 hours per day 7 days per week operation
- B. Intermittent operation shall be defined as periodic operation, including providing a minimum of 30 starts per hour for extended periods. Stops are defined as 0 RPM of rotor and shaft.
- C. Turbocompressor system shall be defined as a single-stage high-speed centrifugal turbocompressor with an integral high-speed unit, variable frequency controller, blow off valve, control cabinet, non-contacting magnetic bearing system all mounted on a common enclosure.

1.05 SUBMITTALS**A. Product Data:**

Submit data completely describing products and listings of all components and accessories with materials of construction including but not limited to the following.

- 1. Turbocompressor operating characteristics and specifications.
- 2. Installation instructions including leveling, alignment, pre-startup checklist and initial startup procedures.
- 3. Proposed surface preparation and factory paint.
- 4. Weight of turbocompressor assembly including turbocompressor, motor and control cabinet as well as the individual weights of all accessories.
- 5. Other information as required or specified elsewhere in this Specification Section.
- 6. Materials of Construction for all major turbocompressor components and accessories.

B. Shop Drawings:

- 1. Certified dimensional drawings of the turbocompressor unit assembly, including accessories shall be provided.
- 2. Certified anchor bolt layout drawings.
- 3. All dimensional drawings necessary to coordinate piping layout with structural, architectural, and/or other mechanical work.
- 4. Certified turbocompressor wiring diagrams including the local control panel and VFD located in the turbocompressor enclosure.

C. Quality Assurance Submittals:

- 1. Performance Test Reports signed by the manufacturer's test engineer shall be submitted after fabrication of complete unit, but prior to shipment of the turbocompressors unless the engineer or owner waives this requirement. Test shall be performed on complete unit only, as testing of high speed unit only will not be acceptable. Tests shall be conducted on each individual contracted unit, as testing of other than all turbocompressors shall not be acceptable.
 - a. Results of each test shall be summarized in a separate, certified, standard factory written test report.
 - b. Reports shall be organized and clearly present testing methods and procedures, testing equipment used as well as the test data. A copy of the report shall be placed in a metal holder that is part of the electrical cabinet door for reference.
 - c. One copy of each certified written test report shall be submitted to the engineer for review and acceptance. Test reports shall be reviewed and accepted by the Engineer prior to shipment unless the engineer or owner waives this requirement.
 - d. Certified test report(s) shall include the following:
 - 1) Performance curves that includes air flow rate in scfm versus input horsepower for each turbocompressor.
 - 2) Hydrostatic test results.
 - 3) Dynamic balancing test results for each turbocompressor.

D. Additional Submittal Data:

1. Operation and Maintenance Manuals:

- a. Prepare operation and maintenance manuals for the entire centrifugal turbocompressor system, including accessories called out in this specification section.
- b. Provide Project Record Documents showing as-built dimensions, as-built wiring and control diagrams, as-built logic diagrams and design information for the turbocompressor(s) and accessories being supplied.
- c. Provide a description of the internal turbocompressor control system.
- d. Provide panel drawings, wiring diagrams, specifications, and a detailed description of the internal turbocompressor control panels.

1.06 QUALITY ASSURANCE

A. General:

1. Turbocompressor manufacturer shall have a minimum of 20 years' experience in design and manufacture of turbocompressors using magnetic bearing technology.
2. Provide a list of references (name, location and contact information) of at least 10 installations currently using the similar model and drive configuration as is being proposed.
3. Conduct certified performance testing on each turbocompressor as outlined in this specification. The engineer shall witness all or part of the performance testing at the factory unless the engineer or owner waives this requirement.
4. Tests shall be conducted using the actual turbocompressors being supplied. Test results from previous models or similar sized turbocompressor shall not be acceptable.
5. All tests shall be conducted at the manufacturer's factory on a complete unit. Testing of high speed units separately from the package shall not be acceptable.
6. If the certified factory tests indicate noncompliance with the requirements of this specification, the turbocompressors shall be reworked and retested at the manufacturer's expense until compliance with the specification is attained.

1.07 DELIVERY, STORAGE, AND HANDLING

A. Packing and Shipping:

1. Protect equipment during shipment in accordance with manufacturer's recommendations and specification section

B. Storage and Protection:

1. Protect the turbocompressor system components and accessories at the project site and during installation prior to project completion per manufacturer's instructions.
2. If the compressor is to be stored prior to installation, the following conditions must be observed.
 - a. Ambient temperature: -40 C - + 60 C (-40 F to +140 F)
 - b. Store the battery pack of the magnetic bearing controller in a fully charged condition and in a cool but frost-free room.
 - c. Maximum relative humidity < 95 %, non-condensing, non-corrosive, no dripping water.
 - d. Maximum storage time is 6 months, if longer contact Sulzer.
 - 1) When the magnetic bearing controller (MBC) is stored for a period longer than six months, the power supply must be connected to re-fresh the capacitors. A 480V/3/60 (or voltage specific to blower) power source (provided by the end-user) must be connected to the MBC for two hours every sixth month of storage to ensure the capacitors are kept in good condition.

1.08 WARRANTY

A. Provide manufacturers' standard warranty. The warranty period shall be for 24 months after shipment.

1.09 MAINTENANCE**A. Special Tools:**

1. If needed, provide one set of special tools required for complete assembly or disassembly of the turbocompressor system and accessories.
2. Special tools shall be defined as any tool not typically necessary for general plant maintenance.

B. Spare Parts:

1. Each turbocompressor shall be furnished with the following spare parts labeled and packed for warehouse storage as recommended by the turbocompressor supplier and / or specified in section Spare parts shall be as follows:
 - a. One complete set of main process air filters (if supplied by Sulzer).
 - b. One complete set of cooling air filters.

PART 2 PRODUCTS**2.01 MANUFACTURES**

A. The turbocompressor shall be the Sulzer Turbocompressor HST 30 as manufactured by Sulzer Pump Solutions, Inc.

02 GENERAL

A. Turbocompressors shall be of a single-stage centrifugal design utilizing oil-free non-contacting magnetic bearing technology with the following design characteristics.

1. Turbocompressor shall be designed for heavy, continuous, municipal service, be capable of providing a minimum of 30 starts per hour and have a minimum design life of 20 years before any mechanical rebuild will be needed.
2. Operate within specified vibration levels without overloading the drive motor.
3. The rotor shall remain vertically levitated at all times while power is being supplied to the turbocompressor. Turbocompressors with rotors that rest on bearings while in the stand-by mode with power supplied to the turbocompressor shall not be considered as an equal.
4. Have a pressure-volume curve, which extends from the design system pressure to the upper system surge pressure with a continuously rising pressure characteristic.
5. Will not surge at or above specified flow rates corresponding to specified discharge pressure.
6. The maximum input motor horsepower shall not exceed specified nameplate horsepower when operating at maximum design flows at 40 degrees °C (104 degrees F).
7. The turbocompressor must deliver oil-free and non-pulsation air at all times to the process.
8. The motor and control cabinet components are to be air-cooled using ambient air only. Systems that use water-cooling are not acceptable or equal.
9. Wire to air power must include all motor, thermal, mechanical and electrical losses of the turbocompressor as well as losses of all auxiliary equipment such as the magnetic bearing systems, cooling systems etc.

B. Blowers shall be UL certified with a certification label shown on the nameplate, at the point of manufacturing. Field evaluation for certification approval shall not be permitted.

C. Minimum flow of each turbocompressor must be no greater than 45% of the maximum flow rate over the entire temperature range.

D. Rotor critical speed must have enough margin to the operating design speed to ensure reliable and safe long-term operation.

PART 1 GENERAL**1.01 SUMMARY**

A. This section includes furnishing; installing and placing into successful operation model HST 20 Sulzer Turbocompressor complete with accessories. Each blower shall be provided with an inlet filter, inlet silencer, outlet flexible joint, outlet silencers, back flow barrier, manual isolation valve, blow-off valve and silencers, motor cooling air outlet silencer, acoustic sound enclosure, VFD, local control panel, magnetic bearings and other appurtenances as described in this specification section needed for a complete system. The same supplier shall furnish the turbocompressors and accessories.

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A. Design Requirements

1. Site conditions:	feet (above sea level)
a. Elevation:	°F to °F
b. Inlet air temperature range:	% to %
c. Relative humidity range:	°F to °F
d. Blower room temperature:	
2. Quantity of turbocompressor:	
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4. Total design air flow rates:	scfm
5. Discharge pressure:	psig
6. Horsepower per turbocompressor:	hp
7. Maximum design speed:	rpm maximum
8. Maximum input current per turbocompressor:	amps maximum
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10. Enclosure:	IP33D / NEMA2

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1.07 DELIVERY, STORAGE, AND HANDLING**A. Packing and Shipping:**

1. Protect equipment during shipment in accordance with manufacturer's recommendations and specification section

B. Storage and Protection:

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2. If the compressor is to be stored prior to installation, the following conditions must be observed.
 - a. Ambient temperature: -40 C - + 60 C (-40 F to +140 F)
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A. Provide manufacturers' standard warranty. The warranty period shall be for 24 months after shipment.

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 - b. One complete set of cooling air filters.

PART 2 PRODUCTS**2.01 MANUFACTURES**

A. The turbocompressor shall be the Sulzer Turbocompressor HST 20 as manufactured by Sulzer Pump Solutions, Inc.

02 GENERAL

A. Turbocompressors shall be of a single-stage centrifugal design utilizing oil-free non-contacting magnetic bearing technology with the following design characteristics.

1. Turbocompressor shall be designed for heavy, continuous, municipal service, be capable of providing a minimum of 30 starts per hour and have a minimum design life of 20 years before any mechanical rebuild will be needed.
2. Operate within specified vibration levels without overloading the drive motor.
3. The rotor shall remain vertically levitated at all times while power is being supplied to the turbocompressor. Turbocompressors with rotors that rest on bearings while in the stand-by mode with power supplied to the turbocompressor shall not be considered as an equal.
4. Have a pressure-volume curve, which extends from the design system pressure to the upper system surge pressure with a continuously rising pressure characteristic.
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6. The maximum input motor horsepower shall not exceed specified nameplate horsepower when operating at maximum design flows at 40 degrees °C (104 degrees F).
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B. Blowers shall be UL certified with a certification label shown on the nameplate, at the point of manufacturing. Field evaluation for certification approval shall not be permitted.

C. Minimum flow of each turbocompressor must be no greater than 45% of the maximum flow rate over the entire temperature range.

D. Rotor critical speed must have enough margin to the operating design speed to ensure reliable and safe long-term operation.

AGENDA ITEM #18

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Charlie Cardenas, P.E., City Engineer

DATE: January 27, 2026

SUBJECT: Consider a Resolution Authorizing an Amendment to the Advance Funding Agreement (AFA) to a Transportation Alternatives Set-Aside (TASA) Program Project to Receive Additional Funding [2021 TASA Call for Projects (CSJ 0916-02-025) – Interschool & Residential Multimodal Connectivity]

Summary:

This AFA Amendment does two things. It changes the name of the agreement and increases the total contract amount.

Background:

The proposed amendment allows the State to allocate additional funds to the City for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity. The original budget for this project as awarded by TxDOT was listed at \$1,295,093.00. The remaining total from the awarded budget is \$0.00. An additional award of \$866,449.00 is being offered due to adjustments made to account for inflation and for underestimated material and labor costs. The amended contract will be for a new total of \$2,161,542.00. These improvements were to provide a safer route to school for those who use any non-motorized form of transportation. Aside from the monetary increase, the State wants to rename the agreement to "Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project Utilizing Transportation Developmental Credits Both On-System and Off-System".

Financial Impact:

There is no negative financial impact to the City of Kingsville for this amendment. The amendment is to receive Federal and State funds and change the contract name.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends approval of the Advance Funding Agreement (AFA) Amendment for a contract name change and for additional Federal and State funds for 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity.

Attachments:

Resolution No. 2026-_____
TXDOT AFA



Initial memo
for Project

City of Kingsville
Engineering Dept.

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: January 23, 2023
SUBJECT: Consider approving an Advanced Funding Agreement (AFA) for a Transportation Alternatives Set-Aside (TASA) Program Project from Texas Department of Transportation (TxDOT) for design and construction of ADA sidewalks, shared-use paths, bike lanes, crosswalks, and ramps.

Summary:

On January 9, 2023, the City received an Advanced Funding Agreement (AFA) for pedestrian and bicyclist improvements along S. Armstrong Street, W. Johnston Avenue and W. Caesar Ave. The Texas Transportation Commission passed a Minute Order No. 116126 awarding funding for this project on October 28, 2021 (page 2 of 19). The project federal funding is \$1,248,093.00 and the state funding is \$46,660.00 for a total project cost of \$1,295,093.00 (Attachment B). No City match is required. The City will be responsible for any cost overruns on the project. A map of the improvements is shown in Attachment A.

Background:

On April 14, 2021, the City was notified by TxDOT that the three Preliminary Applications in Step 1 were accepted, and the City can move forward with the Detailed Applications as part of Step 2. The deadline to submit Detailed Applications was June 14, 2021.

On February 8, 2021, the City approved a resolution for submitting Preliminary Applications of 2021 TA – Harrel Elementary & Memorial Middle School - Proposed Improvements, 2021 TA – Harvey Elementary School & Jubilee Academies -Proposed Improvements and 2021 TA – Kleberg & Epiphany Elementary School - Proposed Improvements. There is no financial impact in submitting the application.

On January 15, 2021, Texas Department of Transportation (TxDOT) issued the 2021 Transportation Alternatives (TA) Call for Project. The application is a two-step process. Step 1 submit a preliminary application by March 1, 2021. Step 2 submit a detailed



**City of Kingsville
Engineering Dept.**

application by June 14, 2021. If funds are awarded, the City would be notified in the fall of 2021 and placed on a Conditional Project List for anticipated funding 2023-2024 of \$13 million.

Eligible TA Project Activities include bicycle infrastructure improvements, shared use paths, sidewalk improvements and infrastructure-related projects to improve safety for non-motorized transportation.

Project Evaluation and Selection Criteria includes Safety, Project Readiness, Geographic Equity, Connectivity & Accessibility, Community Support & Planning and Demand.

Costs not eligible for federal reimbursement include Planning Activities, Environmental Mitigation, Utility Adjustments, Landscape Improvements and Land Acquisition.

The City submitted 3 applications in 2021. Three project locations selected were Memorial Middle School/Harrell Elementary School, Harvey Elementary School /Jubilee Academies, and Kleberg Elementary School/Epiphany Elementary School. The submitted projects were funded and now the contract document between the City and the Texas Department of Transportation for the projects needs to be approved.

Financial Impact:

There is no anticipated financial impact. If project costs are over the application amount, the city would be responsible for the additional costs.

Recommendation:

Staff recommends approving the Advanced Funding Agreement for a Transportation Alternatives Set-Aside Program Project and authorizing the Mayor to sign the Agreement.

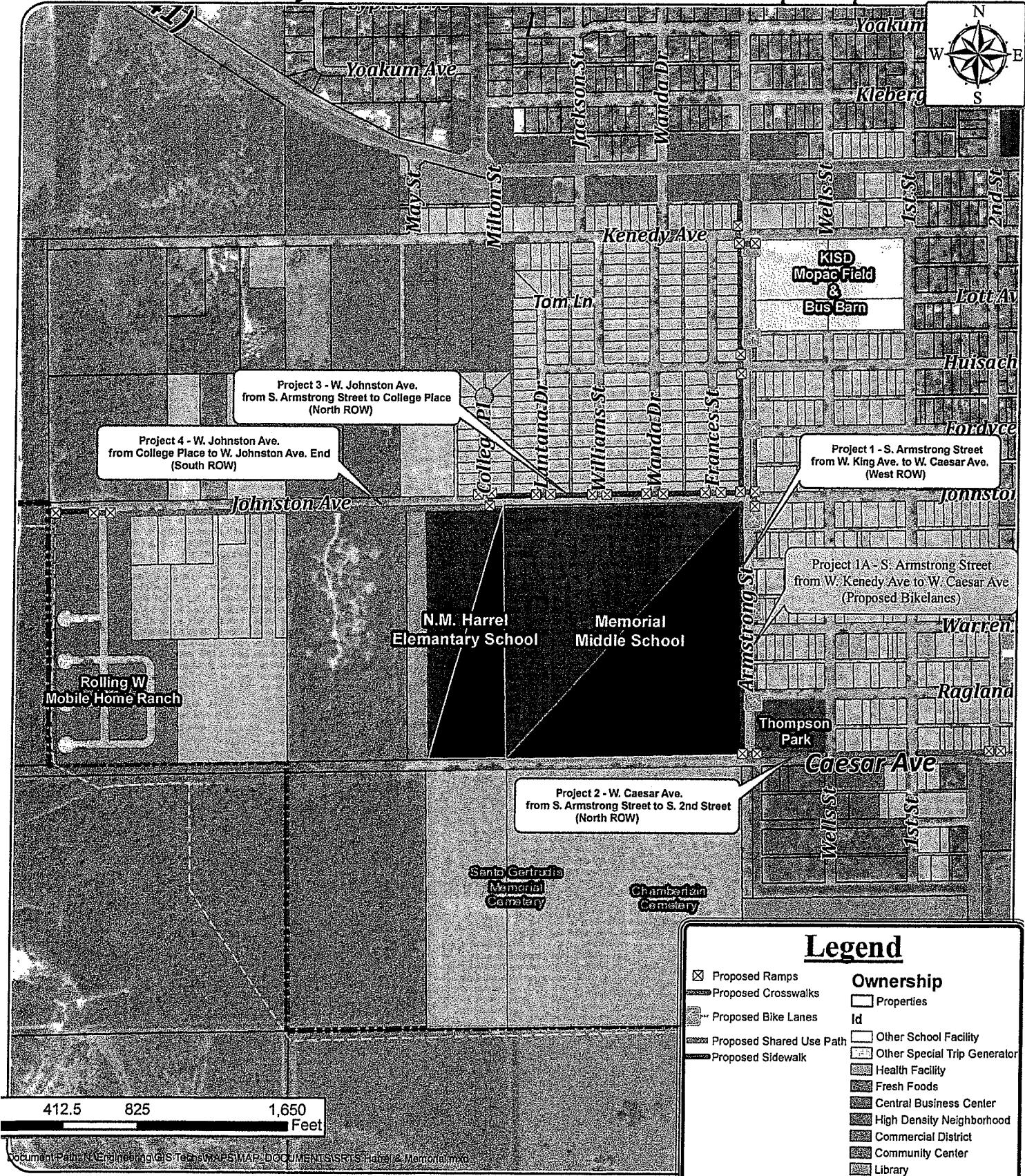
Attachments:

Advanced Funding Agreement for a TASA Program Project



2021 Transportation Alternatives

Harrell Elementary & Memorial Middle School - Prop. Improvements



Drawn By: Engineering Dept.
Last Update: 3/3/2021
Note: Please see attached documents.

DISCLAIMER
THIS MAP IS FOR VISUAL PURPOSES ONLY.
THE INFORMATION ON THIS MAP MAY
CONTAIN INACCURACIES OR ERRORS.
THE CITY OF KINGSVILLE IS NOT
RESPONSIBLE IF THE INFORMATION CONTAINED
HEREIN IS USED FOR ANY DESIGN,
CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 W King Ave
Kingsville, Texas 78363
Office: (361) 595-8007
Fax: (361) 595-8064

Legend	
<input checked="" type="checkbox"/> Proposed Ramps	Properties
<input type="checkbox"/> Proposed Crosswalks	Id
<input type="checkbox"/> Proposed Bike Lanes	Other School Facility
<input type="checkbox"/> Proposed Shared Use Path	Other Special Trip Generator
<input type="checkbox"/> Proposed Sidewalk	Health Facility
	Fresh Foods
	Central Business Center
	High Density Neighborhood
	Commercial District
	Community Center
	School
	Major Employer
	Park
	Neighborhood
	City Limits

RESOLUTION NO. 2026-_____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ADVANCE FUNDING AGREEMENT FOR A TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM PROJECT UTILIZING TRANSPORTATION DEVELOPMENTAL CREDITS BOTH ON-SYSTEM AND OFF-SYSTEM WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

WHEREAS, on October 28, 2021, via Minute Order Number 116126, the Texas Transportation Commission awarded funding for TASA projects in the TASA Program Call of the State, including a project submitted by the City of Kingsville ("City") for design and construction of ADA sidewalks, shared-use paths, bike lanes, crosswalks, and ramps; and

WHEREAS, the project will improve pedestrian and bicyclist improvements along S. Armstrong Street, W. Johnston Avenue, and W. Caesar Avenue;

WHEREAS, the TASA funds do not require a local match. As the Project Sponsor, the City of Kingsville would be responsible for all non-reimbursable costs and 100% of overruns, if any;

WHEREAS, the governing body of the City of Kingsville desired to reaffirm its support of the Project and approved and authorized the execution of an Advance Funding Agreement (AFA) with TxDOT for the Project on January 23, 2023 via Resolution #2023-06;

WHEREAS, it has become necessary to amend that contract in order to reflect additional funding provided by the 2025 Transportation Alternatives Set-Aside (TASA) Program, to off-set the budget shortfall which occurred due to an underestimation of the required project labor, material, and inflationary costs, respectively;

WHEREAS, the amendment will: (1) replace the title of the previous agreement to "Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project Utilizing Transportation Developmental Credits Both On-System and Off-System"; and (2) increase the total estimated cost of the Project by \$866,449.00 from \$1,295,093.00 to \$2,161,542.00.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission authorizes the Mayor to execute an Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program

Project Utilizing Transportation Developmental Credits Both On-System and Off-System with the Texas Department of Transportation, as per the agreement attached hereto.

II.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to this contract.

III.

THAT this Resolution shall become effective upon adoption.

PASSED AND APPROVED by a majority vote of all members of the City Commission of the City of Kingsville on the 9th day of February, 2026.

Sam R. Fugate
Mayor

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

TxDOT:				Federal Highway Administration:	
CCSJ #	0916-02-025	AFA ID	Z00003952	CFDA No.	20.205
AFA CSJs	0916-02-025			CFDA Title	Highway Planning and Construction
District #	CRP-16	Code Chart 64#	22350 – City of Kingsville		
Project Name	Kingsville-Interschool & Residential Multimodal Connectivity/Accessible Network				<i>AFA Not Used For Research & Development</i>

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
FOR A TRANSPORTATION ALTERNATIVES
SET-ASIDE (TASA) PROGRAM PROJECT
Utilizing Transportation Developmental Credits
Both On-System and Off-System**

AMENDMENT #1

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the "State", and the **City of Kingsville**, acting by and through its duly authorized officials, called the "Local Government". The State and Local Government shall be collectively referred to as "the parties" hereinafter.

WITNESSETH

WHEREAS, the parties executed a contract on **February 24, 2023** to effectuate their agreement to provide sidewalk, buffered bicycle lanes, and wide shared use paths improvements; and,

WHEREAS, it has become necessary to amend that contract in order to reflect additional funding provided by the 2025 Transportation Alternatives Set-Aside (TASA) Program. Additional funds became necessary in order to off-set the budget shortfall which occurred due to an underestimation of the required project labor, material and inflationary costs, respectively;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the parties do agree as follows:

AGREEMENT

1. The title of the Agreement is deleted in its entirety and replaced with "ADVANCE FUNDING AGREEMENT FOR A TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM PROJECT Utilizing Transportation Developmental Credits Both On-System and Off-System".
2. Attachment B, Project Estimate and Source of Funds, is deleted in its entirety and replaced with Attachment B-1, Project Estimate and Source of Funds, which is attached to and made a part of this Amendment. The total estimated cost of the Project increased by \$ 866,449.00, from \$ 1,295,093.00 to \$ 2,161,542.00, due to adjustments made to account for inflation, underestimated material and labor needs, and to reflect more accurate and current rates.

All other provisions of the original contract are unchanged and remain in full force and effect.

TxDOT:				Federal Highway Administration:	
CCSJ #	0916-02-025	AFA ID	Z00003952	CFDA No.	20.205
AFA CSJs	0916-02-025			CFDA Title	Highway Planning and Construction
District #	CRP-16	Code Chart 64#	22350 – City of Kingsville		
Project Name		Kingsville-Interschool & Residential Multimodal Connectivity/Accessible Network			
<i>AFA Not Used For Research & Development</i>					

Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this Agreement on the date stated under that party's signature.

THE STATE OF TEXAS

THE LOCAL GOVERNMENT

Signature

Signature

Typed or Printed Name

Sam R. Fugate

Typed or Printed Title

Typed or Printed Name

Mayor

Typed or Printed Title

Date

Date

TxDOT:				Federal Highway Administration:	
CCSJ #	0916-02-025	AFA ID	200003952	CFDA No.	20.205
AFA CSJs	0916-02-025			CFDA Title	Highway Planning and Construction
District #	CRP - 16	Code Chart 64#	22350 - City of Kingsville		
Project Name		Kingsville Interschool & Residential Multimodal Connectivity/Accessibility Network		AFA Not Used For Research & Development	

ATTACHMENT B-1
PROJECT ESTIMATE AND SOURCE OF FUNDS
 State Performs PE Work or Hires Consultant / State Lets Project for Construction

Description of Project Costs to be Incurred	Total Project Cost Estimate	Work Performed by Local Government ("LG")		State Participation Includes authorized EDC amounts	Local Government Participation Includes authorized TDC reduction
		%	Cost		
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0 0%
Preliminary Engineering	\$0	0%	\$0	0%	\$0 0%
Environmental Cost	\$0	0%	\$0	0%	\$0 0%
Right of Way	\$0	0%	\$0	0%	\$0 0%
Utilities	\$0	0%	\$0	0%	\$0 0%
Construction Cost	\$				\$0
Construction Cost	\$				\$0
Engineering Cost	\$				\$0
Eligible in-Kind Contribution Value					
Total Construction Value (sum of construction cost and in-kind value)	\$0	0%	\$0	0%	\$0 0%
Work by LG Subtotal	\$0		\$0		\$0
Work Performed by the State (Local Participation paid up front by LG to TxDOT)					
Preliminary Engineering ¹	\$123,500	100%	\$123,500	0%	\$0 0%
Added Preliminary Engineering ¹	\$210,500	100%	\$210,500	0%	\$0 0%
Environmental Cost ¹	\$0	0%	\$0	0%	\$0 0%
Right of Way ³	\$0	0%	\$0	0%	\$0 0%
Utilities ²	\$0	0%	\$0	0%	\$0 0%

TxDOT:				Federal Highway Administration:				
CCSI #	0916-02-025	AFA ID	200003952	CFDA No.	20,205			
AFA CSIs	0916-02-025	CFDA Title			Highway Planning and Construction			
District #	CRP - 16	Code Chart 64#	22350 – City of Kingsville					
Project Name	Kingsville Interschool & Residential Multimodal Connectivity/Accessibility Network			AFA Not Used For Research & Development				

Added Construction Cost ²	\$522,797	100%	\$522,797	0%	\$0	0%	TDC 104,559
Construction Cost ²	\$978,203						
Eligible In-Kind Contribution Value	\$						
Total Construction Value (sum of construction cost and in-kind value)	\$978,203	100%	\$978,203	0%	\$0	0%	TDC 195,641
Work by State Subtotal	\$1,835,000		\$1,835,000		\$0		TDC 367,000

Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight

Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable	State Participation Includes authorized EDC amount	Local Government (LG) Participation Includes authorized TDC reduction			
				%	Cost	%	Cost
Preliminary Engineering ¹	\$22,009	100%	\$22,009	0%	\$0	0%	TDC 4,402
Additional Preliminary Engineering ¹	\$23,500	100%	\$23,500	0%	\$0	0%	TDC 4,700
Environmental Cost ¹	\$14,673	100%	\$14,673	0%	\$0	0%	TDC 2,935
Right of Way ¹	\$4,402	100%	\$4,402	0%	\$0	0%	TDC 880
Utilities ¹	\$2,935	100%	\$2,935	0%	\$0	0%	TDC 587
Additional Construction ²	\$55,203	100%	\$55,203	0%	\$0	0%	TDC 11,041
Construction ²	\$102,711	100%	\$102,711	0%	\$0	0%	TDC 20,542
Direct State Costs Subtotal	\$225,433	100%	\$225,433	0%	\$0	0%	TDC 45,087
Indirect State Cost	\$101,109		\$0	100%	\$101,109		\$0
TOTAL PARTICIPATION	\$2,161,542		\$2,060,433		\$101,109		TDC 412,087
In-Kind Contribution Credit Applied						0%	\$0
TOTAL REMAINING PARTICIPATION AFTER IN-KIND CONTRIBUTION							TDC 412,087

TxDOT:				Federal Highway Administration:	
CCSJ #	0916-02-025	AFA ID	200003952	CFDA No.	20.205
AFA CSJs	0916-02-025	Highway Planning and Construction			
District #	CRP - 16	Code Chart 64#	22350 – City of Kingsville	CFDA Title	Highway Planning and Construction
Project Name	Kingsville Interschool & Residential Multimodal Connectivity/Accessibility Network				<i>AFA Not Used For Research & Development</i>

- The estimated total participation by Local Government is \$0.
- The **Local Government** is responsible for 100% of overruns.
- Total estimated payment by Local Government to State is \$0.
- Local Government's first payment of \$0 is due to State within 30 days from execution of this contract.
- Local Government's second payment of \$0 is due to State within 60 days prior to the Construction contract being advertised for bids.
- If ROW is to be acquired by State, Local Government's share of property cost will be due prior to acquisition.
- The local match must be 20% or greater and may include State contributions, eligible in-kind contributions, EDC adjustments, or TDCs if authorized as part of project selection.
- Transportation Development Credits (TDC) are being utilized in place of the Local Government's participation in the amount of 412,087.
- This is an estimate; the final amount of Local Government participation will be based on actual costs.
- Maximum federal TASA funds available for Project are \$2,060,433.

Certificate Of Completion

Envelope Id: C55228F2-BD85-4DC3-80C9-E51F5D732047

Status: Sent

Subject: CRP - AFA Amendment 1 - CSJ 0916-02-025/Z00003952 - City of Kingsville

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Document Pages: 9

Signatures: 0

Envelope Originator:

Certificate Pages: 5

Initials: 0

John Kyere

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125 E. 11th Street

EnvelopeId Stamping: Enabled

Austin, TX 78701

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John.Kyere@txdot.gov

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Pool: Texas Department of Transportation

Location: Docusign

Signer Events

Sam R. Fugate

Signature

Timestamp

mfugate@cityofkingsville.com

Sent: 1/9/2026 7:52:53 AM

Mayor

Viewed: 1/9/2026 8:44:07 AM

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Electronic Record and Signature Disclosure:

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Tim Juro

Tim.Juro@txdot.gov

Security Level: Email, Account Authentication
(Optional)

Electronic Record and Signature Disclosure:

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In Person Signer Events

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Timestamp

Editor Delivery Events

Status

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Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

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Elizabeth Soliz

Elizabeth.Soliz@txdot.gov

Contract Specialist

Security Level: Email, Account Authentication
(Optional)

Electronic Record and Signature Disclosure:

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Charlie Cardenas

ccardenas@cityofkingsville.com

Security Level: Email, Account Authentication
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Notary Events	Signature	Timestamp
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Envelope Sent	Hashed/Encrypted	1/9/2026 7:52:52 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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From time to time, Texas Department of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Texas Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kevin.setoda@txdot.gov

To advise Texas Department of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at kevin.setoda@txdot.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Texas Department of Transportation

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Texas Department of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERs):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">• Allow per session cookies

	<ul style="list-style-type: none">• Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection
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** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Texas Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Texas Department of Transportation during the course of my relationship with you.

AGENDA ITEM #19

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Charlie Cardenas, P.E., City Engineer

DATE: January 27, 2026

SUBJECT: Consider a Resolution authorizing Participation in the application for financial assistance from the Texas Water Development Board's Drinking Water State Revolving Fund.

Summary:

On January 8, 2026, the Texas Water Development Board (TWDB) issued the 2027 Drinking Water State Revolving Fund (DWSRF) Call for Projects. The application is a two-step process. Step 1 submit a preliminary application (project information form, PIF) by March 6, 2026. Step 2 submit a detailed application once the PIF is approved and awarded the City would be notified in the fall of 2026 and placed on a Conditional Project List for anticipated funding in 2027 of between \$14 to \$19 million.

The project will be funded by both TWDB (70%) and local (30%) funds. The local funds can be cash and in-kind services.

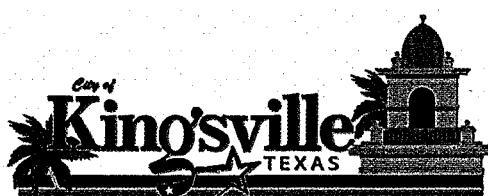
Eligible Project Activities new water wells, infrastructure improvements, distribution valves, new pump houses, alternative power at the pump houses, utility upgrades, storage tanks and elevated storage tanks.

Project Evaluation and Selection Criteria includes Safety, Project Readiness, Geographic Equity, Connectivity & Accessibility, Community Support & Planning and Demand.

The TWDB is asking for the City to pass a resolution in support of this application with approved authorized representatives.

Financial Impact:

There is no financial impact in submitting the application.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends a resolution in support of an application to the Texas Water Development Board Drinking Water State Revolving Fund Program 2027 Call for Project on the locations selected by the City Commission.

Attachments:

TWDB-0201 Application Affidavit

TWDB-0201A Application Filing and Authorized Representative Resolution

TWDB-0201B Application Resolution-Certificate of Secretary



RESOLUTION #2026-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD (TWDB) FOR THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM'S CALL FOR PROJECTS FOR CITY WATER SYSTEM PROJECTS; REQUESTING FINANCIAL ASSISTANCE FROM TWDB; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

WHEREAS, on January 8, 2026, the Texas Water Development Board (TWDB) issued the 2027 Drinking Water State Revolving Fund (DWSRF) Call for Projects;

WHEREAS, the application is a two-step process which consists of 1) submitting a preliminary application (project information form, PIF) by March 6, 2026, and 2) submitting a detailed application once the PIF is approved and awarded. The City would be notified in the fall of 2026 and placed on a Conditional Project List for anticipated funding in 2027 of between \$14 million-\$19 million;

WHEREAS, it is anticipated the project would be funded by both TWDB (70%) and City/local (30%) funds, with the local funds being cash and in-kind services;

WHEREAS, an estimated total project cost of \$14 million-\$19 million would make the City's 30% contribution be \$4.2 million-\$5.7 million;

WHEREAS, the City's 2025 Capital Improvements Plan prepared by the City Engineering Department identified ten projects citywide and is working on the preliminary design and cost estimates for each project with an outside engineering firm;

WHEREAS, the Texas Water Development Board will be receiving applications until March 6, 2026 and has a program for 0% interest loans and requirements for grant funding and the City desires to apply for water system funding.

NOW THEREFOR, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE:

I.

THAT the City Manager is authorized to submit a grant application to the Texas Water Development Board for Drinking Water State Revolving Fund moneys for water system projects in the City's 2025 Capital Improvements Plan.

II.

THAT all proceeds from said grant including any matching grant amount from the City of Kingsville shall be administered in conformity with the grant application, the Grant Award letter, and the approved Budget Summary.

III.

THAT the City Manager is hereby designated at the Authorized Official to accept, alter, or reject the grant.

IV.

THAT in the event of loss or misuse of funds, the City of Kingsville will return all funds to the Texas Water Development Board.

V.

THAT this Resolution shall be effective upon adoption.

PASSED AND APPROVED by a majority vote of the City Commission the 9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

Application Filing and Authorized Representative Resolution

A RESOLUTION by the City Commission of the
City of Kingsville requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE City Commission OF
THE City of Kingsville:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$ 19 million to provide for the costs of Kingsville Water System Improvements.

SECTION 2: That the City Manager Charlie Sosa be and is hereby designated the authorized representative of the City of Kingsville for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City of Kingsville before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor:

Don Gonzales, CPA
Estrada Hinojosa

Engineer:

Isaac Huacuja, PE, CFM
Garver LLC

Bond Counsel:

Dan Martinez, JD, CPA
Winstead PC

PASSED AND APPROVED, this the _____ day of _____, 20 ____.

ATTEST: _____

By: _____

(Seal)

Application Resolution - Certificate of Secretary

THE STATE OF TEXAS §
COUNTY OF Kleberg §
APPLICANT City of Kingsville, Texas §

I, the undersigned, Secretary of the City of Kingsville, Texas,
DO HEREBY CERTIFY as follows:

1. That on the 9th day of February, 2026, a regular/special meeting of the Kingsville City Commission was held; the duly constituted members of the Kingsville City Commission being as follows: Mayor Sam Fugate, Commissioners Norma Alvarez, Edna Lopez, Hector Hinojosa, & Leo Alarcon all of whom were present at the meeting, except the following:

Among other business considered at the meeting, the attached resolution entitled:

"A RESOLUTION by the City Commission of the City of Kingsville requesting financial participation from the Texas Water Development Board; authorizing the filing of an application for financial participation; and making certain findings in connection therewith."

was introduced and submitted to the Kingsville City Commission for passage and adoption. After presentation and consideration of the resolution, and upon a motion made by _____ and seconded by _____, the resolution was passed and adopted by the Kingsville City Commission by the following vote:

voted "For" voted "Against" abstained

all as shown in the official minutes of the for this meeting.

2. That the attached resolution is a true and correct copy of the original on file in the official records of the City of Kingsville; the qualified and acting members of the Kingsville City Commission on the date of this meeting are those persons shown above and, according to the records of my office, advance notice of the time, place, and purpose of meeting was given to each member of the Kingsville City Commission; and that the meeting, and the deliberations of the public business described above, was open to the public and written notice of the meeting, including the subject of the resolution described above, was posted and given in advance of the meeting in compliance with the provisions of Chapter 551 of the Texas Government Code.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of
the _____, this the _____ day of _____, 20____.

Secretary

(SEAL)

Application Affidavit

THE STATE OF TEXAS §
COUNTY OF Kleberg §
APPLICANT City of Kingsville, Texas §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____ as the Authorized Representative of the City of Kingsville, Texas, who being by me duly sworn, upon oath says that:

1. The decision by the City of Kingsville, Texas (authority, city, county, corporation, district) to request financial assistance from the Texas Water Development Board ("TWDB") was made in a public meeting held in accordance with the Open Meetings Act (Government Code, §551.001, et seq.) and after providing such notice as required by such Act as is applicable to the City of Kingsville, Texas (authority, city, county, corporation, district).

2. The information submitted in the application is true and correct according to my best knowledge and belief.

3. The City of Kingsville, Texas (authority, city, county, corporation, district) has no litigation or other proceedings pending or threatened against it that would materially adversely affect its financial condition or ability to issue debt.

4. The City of Kingsville, Texas (authority, city, county, corporation, district) has no pending, threatened, or outstanding judgments, orders, fines, penalties, taxes, assessment or other enforcement or compliance issue of any kind or nature by the Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Comptroller, Texas Secretary of State, or any other federal, state or local government, except for the following (if no such outstanding compliance issues, write in "none"):

NONE

5. The City of Kingsville, Texas (authority, city, county, corporation, district) warrants compliance with the representations made in the application in the event that the TWDB provides the financial assistance.

6. The City of Kingsville, Texas (authority, city, county, corporation, district) is or will become in compliance with all of its material contracts.

7. The City of Kingsville, Texas (authority, city, county, corporation, district) will comply with all applicable federal laws, rules, and regulations as well as the laws of this state and the rules and regulations of the TWDB.

Official Representative

Title: _____

SWORN TO AND SUBSCRIBED BEFORE ME, by _____,
on this _____ day of _____, 20 ____.

(NOTARY'S SEAL)

Notary Public, State of Texas

AGENDA ITEM #20

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: John Blair, Chief of Police

DATE: January 30, 2026

SUBJECT: OOG Solicitation Body-Worn Camera Grant Program, FY2027

Summary:

The Police Department seeks approval through resolution to apply for funding through the FY2027 Office of the Governor Solicitation Body-Worn Camera Grant Program. This grant will continue to support our advanced body-worn camera technology and associated digital evidence management systems. These tools are essential to enhancing public safety, ensuring officer accountability and safety, and promoting transparency within our community.

Background:

Body-worn cameras have become a best practice for modern law enforcement, providing a critical tool to document interactions between officers and the public. The current body-worn camera system employed by KPD has significantly improved the efficiency and reliability of evidence collection, management, and sharing. The Axon Body Camera platform and its integrated evidence management system, Evidence.com, provide secure, CJIS-compliant storage with features such as real-time uploads, full audit trails, and seamless sharing with the prosecutor's office. Body-worn cameras represent a vital step forward in modern policing, bridging the gap between law enforcement and the community by fostering trust and accountability. This grant opportunity underscores our commitment to adopting best practices in public safety while responsibly managing city resources.

This program reflects our commitment to community trust by providing documentation of police activities while reducing the time and resources required for manual evidence handling.

Financial Impact:

The total project cost is \$38,034.06, which includes the following components to include but not limited:

- **42 Body-Worn Camera Package**
 - **Basic License**



**City of Kingsville
Police Department**

- Auto-Tagging
- Storage a la carte

The grant requires a 25% cash match of \$9,508.52. These funds will be sourced from Chapter 59 #005-5-2100-22600, pending a budget amendment upon grant approval.

Recommendation:

The Police Department respectfully requests approval to apply for funding under the FY2027 OOG Solicitation Body-Worn Camera Grant Program. This initiative is critical for enhancing officer accountability and public trust, aligning with our department's commitment to safety, transparency, and operational efficiency.



RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION'S BODY-WORN CAMERA GRANT PROGRAM, FY2027; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department apply for and, if awarded, accept and administer the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2027 (9/01/26-8/31/27), which provides funding to enable police agencies to purchase body-worn cameras, data, software, digital video storage, and technology; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project as required by the grant application, which are expected to be a 25% match and will specify the exact budgetary line item when an award is made; and

WHEREAS, to support the safety of officers and citizens through the use of body-worn cameras the City would like to use grant funds to purchase body-worn cameras, software, technology, and storage for its law enforcement personnel; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer and citizen safety; and

WHEREAS, the City Commission of the City of Kingsville designates the Kingsville Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, administer, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2027.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2027, including but not limited to any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

THAT this Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #21

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: John Blair, Chief of Police

DATE: January 30, 2026

SUBJECT: Edward Byrne Memorial Justice Assistance Grant Program FY2027

Summary:

The Police Department seeks approval from the Commission through resolution to reapply for funding under the Edward Byrne Memorial Justice Assistance Grant Program FY 2027. This grant was previously applied for and approved, and the department is requesting continued funding to support ongoing public safety initiatives.

Background:

The Police Department continues to address evolving security concerns and crime trends by investing in long-term solutions that enhance public safety throughout the City of Kingsville. Continued participation in the Edward Byrne Memorial Justice Assistance Grant Program allows the department to sustain and expand technology investments that have already proven beneficial.

The FY 2027 grant funding will support the continued use and expansion of high-resolution security cameras and License Plate Reader (LPR) systems at strategic locations across the city. These systems improve situational awareness, assist with investigations, and serve as a deterrent to criminal activity. Reapplying for this grant ensures the department can maintain momentum and continue leveraging prior investments made through this program.

This initiative remains aligned with the department's commitment to effective policing practices and community safety.



**City of Kingsville
Police Department**

Key benefits of this initiative include:

- **Prevention:** Enhancing crime deterrence through consistent and expanded monitoring.
- **Protection:** Improving safety for residents, businesses, and visitors by addressing known security needs.
- **Investigation:** Supporting timely identification of suspects through reliable video and data capture.

Financial Impact:

The Police Department is requesting grant funding to support the acquisition and/or continued operation of the following:

- **17 security and LPR cameras**
- **Total request: \$55,000.00**

There is no cash match required for this grant.

Recommendation:

The Police Department respectfully requests Commission approval to reapply for funding under the Edward Byrne Memorial Justice Assistance Grant Program FY 2027. Approval of this request will allow the department to continue funding critical technology that supports crime prevention, investigation, and overall public safety, while maximizing the value of previously approved grant investments.



RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY2027 FOR CAMERAS AND EQUIPMENT FOR THE KINGSVILLE POLICE DEPARTMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant (JAG) for the Edward Byrne Memorial JAG Program FY2027 for grant monies for cameras and equipment (security cameras and LPR) for law enforcement personnel; and

WHEREAS, the JAG is providing grants through funding from the Edward Byrne Memorial JAG Program FY2027 Grant; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Grant Program grant application, though none is expected at this time; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full; and

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer safety; and

WHEREAS, the City of Kingsville and the Kingsville Police Department are aware of and will comply with the grant requirements; and

WHEREAS, the City Commission of the City of Kingsville designates the City Manager as the grantee's authorized official and the Kingsville Police Chief as his/her designee, who has the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City authorizes the Kingsville Police Department through the Chief of Police to participate in Edward Byrne Memorial JAG Program FY2027 Grant and to seek funding for law enforcement personnel equipment (cameras and license plate reader) to assist with improved security for our law enforcement personnel in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Edward Byrne Memorial JAG Program FY2027 Grant, including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

THAT this Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #22

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: John Blair, Chief of Police

DATE: January 30, 2026

SUBJECT: Violence Against Women Justice and Training Program (VAWA), FY2027 – Family Violence Detective and Victim Case Manager

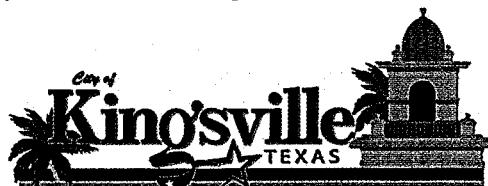
Summary

The Kingsville Police Department respectfully seeks approval through resolution to apply for funding under the **FY2027 Violence Against Women Justice and Training Program (VAWA)** administered by the Office of the Governor, Public Safety Office. This grant will support a coordinated, victim-centered response to crimes against women through the assignment of a **dedicated Family Violence Detective** and a **Victim Case Manager**. Together, these positions will enhance investigative effectiveness, improve victim safety and support services, and strengthen collaboration with prosecutors and community partners.

Background

Violence against women—including domestic violence, dating violence, sexual assault, and stalking—requires a specialized, trauma-informed response to ensure offender accountability while prioritizing victim safety and dignity. Best practices under the Violence Against Women Act emphasize the use of **specialized investigators supported by victim advocacy services** to improve case outcomes and reduce re-victimization.

The VAWA Justice and Training Program is specifically designed to assist local governments in developing or expanding law enforcement and victim service capacities that improve the justice system's response to violent crimes against women. Approval of this application would allow the Kingsville Police Department to enhance its operational capabilities by dedicating personnel whose primary focus is family violence investigations and direct victim support.



**City of Kingsville
Police Department**

Project Scope and Purpose

If awarded, grant funds will support a coordinated approach consisting of the following components:

1. Family Violence Detective

A dedicated Family Violence Detective will be assigned to investigate domestic violence, dating violence, sexual assault, and stalking cases. This position will focus on:

- Timely and thorough investigation of VAWA-qualifying offenses
- Improved evidence development and case preparation
- Close coordination with prosecutors and multidisciplinary partners
- Increased offender accountability and improved case outcomes

2. Victim Advocate

The grant will also support a **Victim Advocate** position to provide direct, trauma-informed services to victims and survivors. The Victim Advocate will work alongside investigators while maintaining a victim-centered role focused on safety, support, and continuity of care.

Core responsibilities will include:

- Crisis intervention and emotional support for victims and survivors
- Assistance with protective orders, safety planning, and court accompaniment
- Referrals to shelters, counseling services, medical providers, and community resources
- Assistance with Crime Victims' Compensation applications and victim notifications
- Serving as a liaison between victims, investigators, prosecutors, and advocacy partners

Financial Impact

Grant Funding Requirements:

- **Match Requirement:** 30% cash match, as required for local government applicants
- **Project Period:** September 1, 2026 – August 31, 2027 (12 months)



**City of Kingsville
Police Department**

Personnel Costs

Family Violence Detective

- Base Salary: **\$69,065.52**
- Benefits & Fringe: **\$44,487.85**
- **Total Cost: \$113,553.37**

Victim Case Manager

- Base Salary: **\$58,944.80**
- Benefits & Fringe: **\$42,433.19**
- **Total Cost: \$101,377.99**

Travel and Operational Costs

- Mileage reimbursement for investigative and victim-related travel calculated at **\$0.725 per mile**, with an estimated annual cost of **\$4,000.00**.

Travel and Training

- Specialized VAWA-eligible training, trauma-informed response courses, and professional development for both positions are estimated at **\$3,000.00**.

City Match Source and Breakdown

The required **30% cash match** will be funded through **General Fund 01**, as outlined below:

- **Family Violence Detective (30% of \$113,553.37):**
\$34,066.01 – General Fund 01
- **Victim Case Manager (30% of \$101,377.99):**
\$30,413.40 – General Fund 01

Total Estimated City Match (General Fund 01):

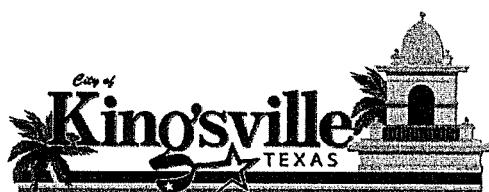
\$64,479.41, subject to final budget review and City Commission approval upon grant award.



**City of Kingsville
Police Department**

Recommendation

The Police Department respectfully recommends approval of a resolution authorizing the City of Kingsville to apply for funding under the **FY2027 Violence Against Women Justice and Training Program**. This initiative strengthens investigative and victim-support capabilities, aligns with nationally recognized best practices, and reinforces the City's commitment to addressing family violence and crimes against women through a coordinated, professional, and victim-centered approach.



RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF VIOLENCE AGAINST WOMEN JUSTICE AND TRAINING PROGRAM (VAWA), FY2027 GRANT FOR THE KINGSVILLE POLICE DEPARTMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the Office of the Governor, Criminal Justice Division, for the Violence Against Women Justice and Training Program (VAWA), FY2027 Grant for grant monies for law enforcement personnel for a dedicated Family Violence Detective and a Victim Case Manager (salary, fringe, training, and mileage); and

WHEREAS, the Office of the Governor is providing grants through funding from the Violence Against Women Justice and Training Program (VAWA), FY2027 Grant cycle; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Grant Program grant application, though none is expected at this time; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full; and

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer safety; and

WHEREAS, the City of Kingsville and the Kingsville Police Department are aware of and will comply with the grant requirements; and

WHEREAS, the City Commission of the City of Kingsville designates the City Manager as the grantee's authorized official and the Kingsville Police Chief as his/her designee, who has the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City authorizes the Kingsville Police Department through the Chief of Police to participate in Violence Against Women Justice and Training Program (VAWA), FY2027 Grant to seek funding for law enforcement personnel for a dedicated Family Violence Detective and a Victim Case Manager (salary, fringe, training, and mileage) in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Violence Against Women Justice and Training Program (VAWA), FY2027 Grant, including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

THAT this Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #23

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Charles L. Sosa, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: February 2, 2026

SUBJECT: Memorandum of Understanding (MOU) with Texas A&M Kingsville (TAMUK) for Internship Program

Summary:

The City of Kingsville is interested in partnering with TAMUK to create an internship program to provide TAMUK students with the opportunity to gain real work experience in their field of study to complement their university education. The program is an unpaid internship program in which students receive credit for hours of internship work experience. The MOU is attached for review.

Background:

The City has previously partnered with TAMUK to provide internship work experience for TAMUK students. This internship program is an unpaid program. This provides individuals selected for the program the opportunity to gain real-world work experience.

Once an internship position is identified, the City will work with TAMUK to have the university post the internship position in their career services site. City Department Directors will review applications and interview interested candidates for the specified internship position. The department in which the Intern is placed will process any student specific evaluations and provide documentation to TAMUK when the student has completed the internship program.

Financial Impact:

None

Recommendation:

Partner with TAMUK to provide students with an internship opportunity with the City of Kingsville.



RESOLUTION #2026-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KINGSVILLE AND TEXAS A&M UNIVERSITY-KINGSVILLE FOR STUDENT INTERNSHIP PROGRAM; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") and Texas A&M University-Kingsville ("TAMUK") try to work together for the benefit of our community when able to do so; and

WHEREAS, the City of Kingsville has areas where additional personnel assistance would be beneficial but is not financially feasible for paid interns; and

WHEREAS, TAMUK has students who would benefit from real world experience working in a municipal government/administrative setting; and

WHEREAS, TAMUK has a student internship program that would pair students with identified positions within the City and neither entity would pay the students; and

WHEREAS, the City of Kingsville and TAMUK would both benefit from the local university students performing work for the City; and

WHEREAS, the City Commission has previously approved agreements with TAMUK relating to student interns; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with the terms of the agreement attached hereto.

NOW THEREFOR, BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Memorandum of Understanding Between the City of Kingsville and the Texas A&M University-Kingsville relating Student Internship Program in accordance with Exhibit A hereto attached and made a part hereof.

II.

THAT all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

THAT this Resolution shall be and become effective on and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
9th day of February, 2026.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE/TAMUK STUDENT INTERNSHIP PROGRAM

Memorandum of Understanding

Purpose: The purpose of this memorandum of understanding is to create an internship program between the City of Kingsville (City) and Texas A&M University-Kingsville (TAMUK) whereby students from the university would be placed in a non-university career growth and exposure to work assignment which supplements their classroom development.

Objectives:

- Enhance our community partnership with the City and provide them potential work assistance in areas of need.
- Provide TAMUK student interns an opportunity to work in career environments that would otherwise not be available in a university, and
- Establish a relationship that could lead to long-term employment considerations for the student in municipal government/administration in Kingsville or elsewhere.

UPON PROGRAM APPROVAL

The City will:

- Designate a single point of contact to serve (in designated department) as the City Internship Program Coordinator to work with the management of this internship program with TAMUK's Student Affairs personnel or other designated university administrative personnel.
- Interview candidates and select the student(s) for the identified positions.
- Conduct criminal background checks on the selected candidate.
- Provide training for interns and provide copies of all pertinent laws, policies, rules, and procedures which govern work.
- Actively work to ensure a safe work environment for the intern.
- Schedule Intern work assignments to meet the hours authorized per the specific intern placement.
- Provide students with real-world experience while helping the city with day-to-day operations and projects.
- Provide Intern with worker's compensation coverage while Intern is performing City assigned duties.

TAMUK will:

- Post available City Internship opportunities on the university's career center student job postings.
- Provide student interns who can support the City of Kingsville across different departments including, but not limited to, the following majors: Accounting, Finance,

Marketing, Management, Engineering, Criminal Justice, Animal Science, and Business Administration.

Interns will:

- Keep accurate track of internship hours.
- **Acknowledge that they are not classified as a City employee and will not be paid by the City for assignments performed during the internship program described in this memorandum of understanding.**
- Follow the City's published Administrative Policies and Procedures Manual and follow any written laws, policies, rules and procedures required by the employing department.
- Agree any performance issues and resolutions thereof will be addressed with the City designee and/or Supervisor.
- Ensure that all training and orientation programs are completed timely, and receive performance evaluations at the end of the work period which will be conducted by the City designee and provided to TAMUK.
- Be expected to dress appropriately and professionally for the work environment for which assigned.

This MOU will continue through December 31, 2026. It will automatically renew for a one-year period each year on January 1st. Either party can discontinue the partnership with written notice to the other party at a minimum of sixty (60) days prior to the proposed date of termination.

Charlie L. Sosa, City Manager
City of Kingsville
P.O. Box 1458
Kingsville, TX 78364
(361) 595-8002

Date

Henry Burgos, Chief Administrative Officer
Texas A&M University-Kingsville

Kingsville, TX 78363
(361) _____

Date

AGENDA ITEM #24

ORDINANCE # 2026

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III-ADMINISTRATION, ARTICLE 1-CITY COMMISSION, SECTION 1-MEETINGS; PROVIDING FOR REVISION OF MEETING TIME TO 4PM; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, there is an interest in moving the time for City Commission meetings from 5pm to 4pm;

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public and to comply with State Law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:

I.

THAT Article 1: City Commission of Chapter III- Administration, of the Code of Ordinances of the City of Kingsville, Texas shall be amended to read as follows:

Article 1 – City Commission

GENERAL PROVISIONS

§3-1-1. - Meetings.

(A) *Time of meetings.* The City Commission shall meet in regular session on the second and fourth Monday of each month at 4:00 p.m. 5:00 p.m., in the Helen Kleberg Groves Community Room Commission chambers located at City Hall, 400 West King, Kingsville, Texas.

(B) *Holidays.* The City Commission shall authorize city staff to amend the meeting schedule in the event a regular scheduled meeting date coincides with a city holiday.
(Ord. 90024, passed 5-14-90)

(C) *Scheduling of meetings.* Regular or special meetings of the City Commission shall be scheduled as follows:

(1) The City Commission shall meet in accordance with this section.

(2) Any two members of the City Commission may call special meetings of the Commission at any time deemed advisable according to the Charter, Article V, § 12.

(3) If it is known that a quorum of elected officers will not be present for a regularly scheduled meeting and this fact is known 72 hours or more prior to the meeting, the meeting may be rescheduled or cancelled by either the City Manager or the City Commission.

(4) Before the City Manager cancels or reschedules a regular or special meeting of the City Commission he shall get authorization from the Mayor or Mayor Pro Tem, or in their absence, from any member of the Commission.

(1962 Code, § 1-5-5; Ord. 91002, passed 1-28-91)

...

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT, as required by the Open Meetings Act, it is officially found and determined that the meeting at which this Ordinance is passed was open to the public and that the public notice of the time, place and purpose was given.

V.

THAT this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 9th day of February, 2026.

PASSED AND APPROVED on this the 23rd day of February, 2026.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #25

**City of Kingsville
Legal Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: January 26, 2026

SUBJECT: Ethics Review Board

Summary: An Ethics Review Board needs to be nominated and voted on by the City Commission as at least one ethics complaint has been received.

Background: The City Commission met to discuss the City of Kingsville Ethics Review Board on December 8, 2025 (when notice was given that a complaint had been received and a board needed to be seated in January). The Commission further discussed the board, qualifications, and responsibilities at a meeting on January 12, 2026. However, there still seemed to be questions regarding the board membership, role, and responsibilities at that meeting, so this memo was requested. [Note: The board only reviews complaints of alleged violations of ethics laws.]

The City of Kingsville Code of Ethics is found in the City of Kingsville Code of Ordinances Chapter III, Article 13. (see Sections 3-13-1 through 3-13-57). The regulations regarding the Ethics Review Board are found in ordinance Sections 3-13-36 through 3-13-47. That subsection is detailed as follows:

3-13-36 Definitions

3-13-37 Structure of the Ethics Review Board

3-13-38 Jurisdiction & Power

3-13-39 Complaints

3-13-40 Ethics Compliance Officer

3-13-41 Ethics Panels

3-13-42 Hearings

3-13-43 Disposition

3-13-44 Petition for Declaratory Ruling

3-13-45 Advisory Opinions

3-13-46 Annual Report

3-13-47 Public Records & Open Meetings.

**City of Kingsville
Legal Department**

As all of the specifics regarding the board are detailed in the ordinances, this memo will only serve to provide an overview of certain aspects.

MEMBERSHIP

~The Board is comprised of five members, who serve two-year staggered terms for no more than three two-year terms. (3-13-37(B) & (C)). They serve without compensation. (3-13-37(I)).

~Board members are qualified to serve if: (1) to be residents of the city and (2) to have good moral character. (3-13-37(D)). A board member *cannot* be:

- 1) A salaried city official or employee;
- 2) An elected public official;
- 3) A candidate for elected public office;
- 4) An officer of a political party;
- 5) A parent, spouse, child, or other relative within the second degree of consanguinity or affinity of an elected public official (see attached chart); or
- 6) A lobbyist required to register under Sections 3-13-22 through 3-13-31.

~The Board is to meet each year and elect a chair and a vice-chair from among its members, who will serve one-year terms and may be re-elected. (3-13-37 (H)).

ROLE

~The Board has jurisdiction to hear complaints filed within two years of the date of an alleged violation of the ethics laws. (3-13-38(A)). The ethics laws referenced are contained in:

- 1) City of Kingsville Code of Ethics Ordinance,
- 2) City of Kingsville Charter, Article V, Section 4, and
- 3) Texas Local Government Code Chapter 171 (state conflict of interest law applicable to certain local public officials).

**City of Kingsville
Legal Department**

RESPONSIBILITIES

~When the Ethics Review Board receives a complaint, they assign it to an Ethics Panel (three or more board members) who investigate and dispose of the complaint. (3-13-41(A)). The Ethics Panel can decide whether or not to hold a hearing. (3-13-41(C)).

~Section 3-13-38(E) addresses confidentiality regarding the filing and processing of complaints. Notification is discussed in Section 3-13-38(F).

~If a hearing is held, then the regulations regarding hearings found in Section 3-13-42 apply.

~The Ethics Panel will make a written opinion at the end of their decisionmaking stating their findings of fact and conclusions of law. (3-13-43(43)). The opinion shall either:

1. Dismiss the complaint; or
2. Find there has been a violation of the ethics laws and:
 - a. Recommend criminal prosecution (to the appropriate law enforcement agency) and/or
 - b. Recommend civil remedies (to the City Commission); or
 - c. State why no remedial action is recommended.

(3-13-43 (A)&(C)).

Financial Impact: None.

Action Requested: Each of the five City Commission members should nominate a citizen meeting the qualifications listed in 3-13-37. At the following meeting, the City Commission should vote on each of the five nominees, so that a five-member Ethics Review Board is empaneled.

RELATIONSHIPS BY CONSANGUINITY OR AFFINITY

FIGURE 1

An Officer's Relatives
by Consanguinity
(Blood Relatives)

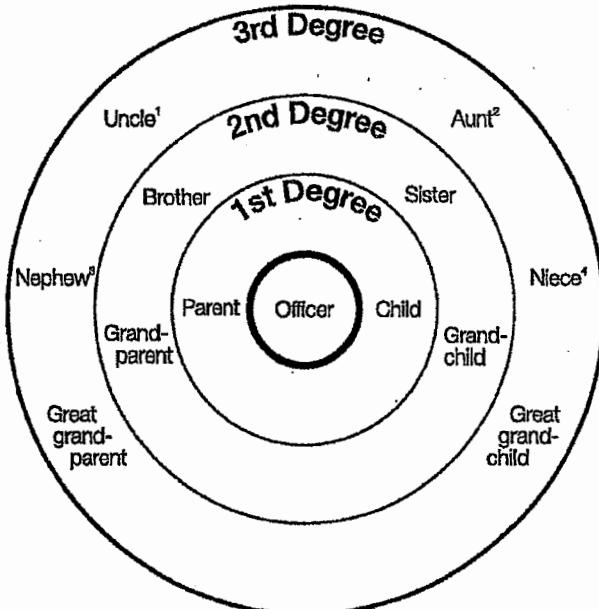
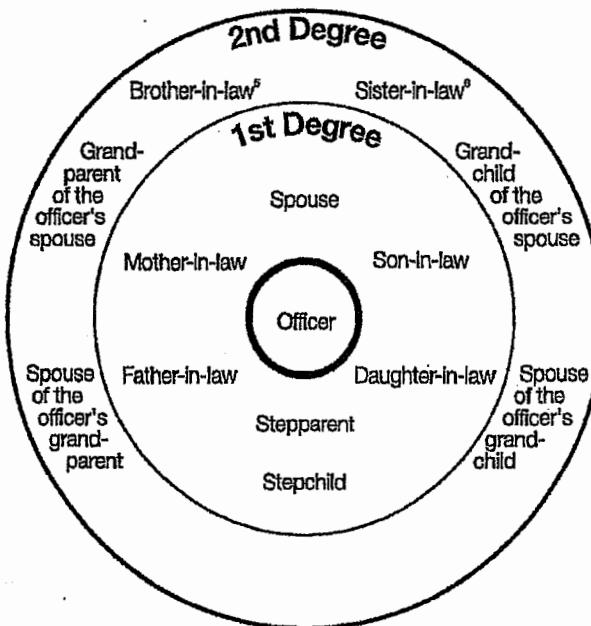


FIGURE 2

An Officer's Relatives
by Affinity
(Relatives by Marriage)



¹ Uncle means only an uncle who is a brother of the officer's parent.

² Aunt means only an aunt who is a sister of the officer's parent.

³ Nephew means only a nephew who is a child of the officer's brother or sister.

⁴ Niece means only a niece who is a child of the officer's brother or sister.

⁵ Brother-in-law means a brother-in-law who is the brother of the officer's spouse or who is the spouse of the officer's sister.

⁶ Sister-in-law means a sister-in-law who is the sister of the officer's spouse or who is the spouse of the officer's brother.

ETHICS REVIEW BOARD - in Article 13 of Chapter III of City of Kingsville
Code of Ordinances

2. 3-13-36. - Definitions.

As used in this subarticle, *ethics laws* includes this Code of Ethics, Tex. Local Gov't Code, Article V, §§ 4 and 171. *Ethical violation* includes violations of any of those enactments. Other terms used in this subarticle are defined in § 3-13-2.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-37. - Structure of the ethics review board.

- (A) *Establishment.* There is hereby established an Ethics Review Board, which shall have the powers and duties specified in this subarticle.
- (B) *Composition.* The Ethics Review Board shall consist of five members. The Mayor and each member of the City Commission shall nominate one member of the Board. Each nominee must be confirmed by a majority of City Commission members. Nomination and confirmation of Board members shall be conducted at separate open meetings of the City Commission.
- (C) *Terms of office.* Board members shall be appointed to two-year terms. Initial appointments shall be made so that terms are staggered. No member shall serve for more than three two-year terms.
- (D) *Qualifications.* Members of the Board shall have good moral character and shall be residents of the city. No member of the Board shall be:
 - (1) A salaried city official or employee;
 - (2) An elected public official;
 - (3) A candidate for elected public office;
 - (4) An officer of a political party;
 - (5) A parent, spouse, child, or other relative within the second degree of consanguinity or affinity of an elected public official; or
 - (6) A lobbyist required to register under §§ 3-13-22 through 3-13-31.
- (E) *Removal.* Members of the Ethics Review Board may be removed from office for cause by a majority of the City Commission only after a public hearing at which the member was provided with the opportunity to be heard. Grounds for removal include: failure to satisfy, or to continue to satisfy, the qualifications set forth in division (D); substantial neglect of duty; gross misconduct in office; inability to discharge the powers or duties of office; or violation of any provision in this Code of Ethics.

(F) *Vacancies.* A vacancy shall be filled by a person who will serve for the remainder of the unexpired term. The appointment shall be made by the member of City Commission who is entitled to make appointments to the seat that was vacated, and must be confirmed by a majority of the City Commission.

(G) *Recusal.*

- (1) A member of the Ethics Review Board shall recuse himself or herself from any case in which, because of familial relationship, employment, investments, or otherwise, his or her impartiality might reasonably be questioned. A Board member may not participate in official action on any complaint:
 - (a) That the member initiated;
 - (b) That involves the member of City Commission who nominated him or her for a seat on the Ethics Review Board; or
 - (c) During the pendency of an indictment or information charging the member with an offense, or after a finding of guilt of such an offense.
- (2) If the number of Board members who are recused from a case is so large that an Ethics Panel cannot be constituted, as provided for in § 3-13-41, the Mayor shall nominate a sufficient number of ad hoc members so that the case can be heard. Ad hoc members of the Ethics Review Board must be confirmed by a majority vote of the City Commission and serve only for the case in question.

(H) *Chair and vice-chair.* Each year, the Board shall meet and elect a chair and a vice-chair from among its members, who will serve one-year terms and may be re-elected. The chair or a majority of the Board may call a meeting of the Board. The chair shall preside at meetings of the Ethics Review Board and perform other administrative duties. The vice-chair shall assume the duties of the chair in the event of a vacancy in that position.

(I) *Reimbursement.* The members of the Ethics Review Board shall not be compensated but shall be reimbursed for reasonable expenses incurred in the performance of their official duties.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-38. - Jurisdiction and powers.

(A) *Jurisdiction.*

- (1) If a complaint is filed pursuant to § 3-13-39 within two years of the date of an alleged violation of the ethics laws, the Ethics Review Board shall have jurisdiction to investigate and make findings and recommendations concerning:
 - (a) Any alleged violation of this Code of Ethics or Article V, Section 4 of the City Charter by any person subject to those provisions, including, but not limited to, current city officials and employees, former city officials and employees, persons doing business with the city, and

persons required to register as lobbyists; or

- (b) Any alleged violation by a city official of Tex. Local Gov't Code, § 171, the state conflict-of-interest law applicable to certain local public officials.
- (2) The Board shall not consider any alleged violation that occurred more than two years prior to the date of the filing of the complaint.

(B) *Termination of city official's or employee's duties.* The termination of a city official's or employee's duties does not affect the jurisdiction of the Ethics Review Board with respect to alleged violations occurring prior to the termination of official duties.

(C) *Powers.* The Ethics Review Board has power:

- (1) To establish, amend, and rescind rules and procedures governing its own internal organization and operations, consistent with this subarticle;
- (2) To meet as often as necessary to fulfill its responsibilities;
- (3) To designate Ethics Panels with the power to render decisions on complaints or issue advisory opinions on behalf of the Board;
- (4) To request from the City Manager through the City Commission the appointment of such staff as are necessary to carry out its duties;
- (5) To review, index, maintain on file, and dispose of sworn complaints;
- (6) To make notifications, extend deadlines, and conduct investigations both on complaint and as a result of an issue raised out of said complaint;
- (7) To render, index, and maintain on file advisory opinions;
- (8) To provide assistance to the Ethics Compliance Officer of the city in the training and education of city officials and employees with respect to their ethical responsibilities;
- (9) To prepare an annual report and to recommend to the Mayor and City Commission needed changes in ethical standards or procedures; and
- (10) To take such other action as is necessary to perform its duties under this subarticle.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-39. - Complaints.

(A) *Filing.*

- (1) Any person (including a member of the Ethics Review Board or its staff, acting personally or on behalf of the Board) who believes that there has been a violation of the ethics laws may file a sworn complaint with the City Secretary.
- (2) A complaint filed in good faith is qualifiedly privileged. A person who knowingly makes a false statement in a complaint, or in proceedings before the Ethics Review Board, is subject to criminal prosecution for perjury under § 3-13-51 or civil liability for the tort of abuse of

process.

(B) *Form.*

- (1) A complaint filed under this section must be in writing and under oath and must set forth in simple, concise, and direct statements:
 - (a) The name of the complainant;
 - (b) The street or mailing address and the telephone number of the complainant;
 - (c) The name of each person complained about;
 - (d) The position or title of each person complained about;
 - (e) The nature of the alleged violation, including, if possible, the specific rule or provision of law alleged to have been violated;
 - (f) A statement of the facts constituting the alleged violation and the dates on which or period of time in which the alleged violation occurred; and
 - (g) All documents or other material available to the complainant that are relevant to the allegation;
 - (h) A list of all documents or other material relevant to the allegation and available to the complainant but that are not in the possession of the complainant, including the location of the documents, if known; and
 - (i) A list of all documents or other material relevant to the allegation but unavailable to the complainant, including the location of the documents, if known.
- (2) The complaint must be accompanied by an affidavit stating that the information contained in the complaint is either true and correct or that the complainant has good reason to believe and does believe that the facts alleged constitute a violation of the Ethics Code. If the complaint is based on information and belief, the complaint shall state the source and basis of the information and belief. The complainant shall swear to the facts by oath before a notary public or other person authorized by law to administer oaths under penalty of perjury.
- (3) The complaint must state on its face an allegation that, if true, constitutes a violation of a rule adopted by or a law administered and enforced by the Board.

(C) *Frivolous complaint.*

- (1) For purposes of this section, *frivolous complaint* is a sworn complaint that is groundless and brought in bad faith or groundless and brought for the purpose of harassment.
- (2) By a vote of at least two-thirds of those present, the Board may order a complainant to show cause why the Board should not determine that the complaint filed by the complainant is a frivolous complaint.
- (3) In deciding if a complaint is frivolous, the Board will be guided by the Texas Rules of Civil Procedure, Rule 13, and interpretations of that rule, and may also consider:

- (a) The timing of the sworn complaint with respect to when the facts supporting the alleged violation became known or should have become known to the complainant, and with respect to the date of any pending election in which the respondent is a candidate or is involved with a candidacy, if any;
- (b) The nature and type of any publicity surrounding the filing of the sworn complaint, and the degree of participation by the complainant in publicizing the fact that a sworn complaint was filed with the Board;
- (c) The existence and nature of any relationship between the respondent and the complainant before the complaint was filed;
- (d) If respondent is a candidate for election to office, the existence and nature of any relationship between the complainant and any candidate or group opposing the respondent;
- (e) Any evidence that the complainant knew or reasonably should have known that the allegations in the complaint were groundless; and
- (f) Any evidence of the complainant's motives in filing the complaint.

(4) Notice of an order to show cause shall be given to the complainant, with a copy to the respondent, and shall include:

- (a) An explanation of why the complaint appears to be frivolous; and
- (b) The date, time, and place of the hearing to be held under this section.

(5) Before making a determination that a sworn complaint is a frivolous complaint, the Board shall hold a hearing at which the complainant may be heard; the complainant may be accompanied by counsel retained by the complainant.

(6) By a record vote of at least two-thirds of those present after the hearing under division (C)(5) above, the Board may determine that a complainant filed a frivolous complaint and may recommend sanctions against that complainant.

(D) *Sanctions.*

- (1) Before recommending a sanction for filing a frivolous complaint, the Board shall consider the following factors:
 - (a) The seriousness of the violation, including the nature, circumstances, consequences, extent, and gravity of the violation;
 - (b) The sanction necessary to deter future violations; and
 - (c) Any other matters that justice may require.
- (2) The Board may recommend the following sanctions:
 - (a) A civil penalty of not more than \$500.00;
 - (b) Prosecution for perjury;

- (c) Any other sanction permitted by law.
- (3) The Board may notify the appropriate regulatory or supervisory agency for their appropriate action.

(E) *Confidentiality.* No city official or employee shall reveal information relating to the filing or processing of a complaint except as required for the performance of official duties. Ex parte communications by members of the Ethics Review Board are prohibited by § 3-13-41(D). All papers relating to a pending complaint are confidential.

- (1) Except as otherwise provided by this section, all information relating to a sworn complaint known to or in the possession of the Board is confidential. The Board and its staff shall not communicate any information about a sworn complaint, including whether or not a complaint has been filed, to any person other than the respondent, the complainant, and a witness or potential witness identified by the respondent, the complainant, or another witness or potential witness.
- (2) Information otherwise confidential under this section may be disclosed by entering it into the record of a formal hearing or a judicial proceeding.
- (3) Confidentiality may be waived only if the complainant and each respondent named in the sworn complaint provides a verified, written waiver of confidentiality to the Board.

(F) *Notification.* A copy of a complaint shall be promptly forwarded by the City Secretary to the Ethics Compliance Officer and to the respondent(s), even if the complaint fails to meet the filing requirements of division (B). A complaint that is not sworn as required by division (A), shall not be forwarded by the City Secretary to the Ethics Compliance Officer, but shall be returned to the complainant. The respondent(s) shall also be provided with a copy of the ethics rules and shall be informed:

- (1) That, within 14 days of receipt of the complaint, he or she may file a sworn response with the City Secretary;
- (2) That failure to file a response does not preclude the Ethics Review Board from adjudicating the complaint;
- (3) That a copy of any response filed by the respondent(s) will be provided by the City Secretary to the complainant, who may, within seven days of receipt, respond by sworn writing filed with the City Secretary, a copy of which shall be provided by the City Secretary to the respondent(s);
- (4) That the respondent(s) may request a hearing; and
- (5) That city officials and employees have a duty to cooperate with the Ethics Review Board, pursuant to § 3-13-41(E).

(G)

Assistance. The City Secretary shall provide information to persons who inquire about the process for filing a complaint.

Ord. 2004-10, passed 5-10-04)

Sec. 3-13-40. - Ethics compliance officer.

(A) *City Attorney's Office.*

- (1) The City Attorney or an Assistant City Attorney designated by the City Attorney shall serve as the Ethics Compliance Officer for the city. The Ethics Compliance Officer shall:
 - (a) Receive and promptly transmit to the Ethics Review Board complaints and responses filed with the City Secretary;
 - (b) Investigate, marshal, and present to the Ethics Review Board the evidence bearing upon a complaint;
 - (c) Act as legal counsel to the Ethics Review Board;
 - (d) Issue advisory opinions to city officials and employees about the requirements imposed by the ethics laws; and
 - (e) Be responsible for the training and education of city officials and employees with respect to their ethical responsibilities;
 - (f) Review complaints for legal sufficiency;
 - (g) Recommend acceptance or rejection of complaint within 60 days of date made to the Ethics Review Board; and
 - (h) Request additional information from complainant as needed.
- (2) At least once each year, the Ethics Compliance Officer shall cause to be distributed to each city official and employee a notice setting forth the duties of the Ethics Review Board and the procedures for filing complaints. The Ethics Compliance Officer shall also ensure that such notices are posted in prominent places in city facilities.

(B) *Outside independent counsel.*

- (1) An independent outside attorney, who does not otherwise represent the city, shall be appointed at the recommendation of the City Attorney, to serve as the Ethics Compliance Officer for a particular case:
 - (a) When a complaint is filed relating to an alleged violation of the ethics laws by:
 1. The Mayor or a member of the City Commission; or
 2. A city employee who is a department head or of higher rank;
 - (b) When the Ethics Review Board, at the recommendation of the City Attorney, requests such an appointment; or
 - (c) When requested by the City Attorney.

(2) An independent outside attorney who is appointed has the same duties and authority as the Ethics Compliance Officer under this section.

(C) *Exculpatory evidence.* The Ethics Compliance Officer shall disclose to the Ethics Panel and provide to the person charged with violating the ethics laws evidence known to the Ethics Compliance Officer tending to negate guilt or mitigate the seriousness of the offense.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-41. - Ethics panels.

(A) *Assignment to an Ethics Panel.* A complaint received by the Ethics Review Board from the Ethics Compliance Officer shall be promptly assigned to an Ethics Panel consisting of three or more members of the Board, who shall have full power to investigate and dispose of the complaint. Each Ethics Panel shall be constituted according to procedures established by the Board. Any member of an assigned Ethics Panel who recuses himself or herself shall be replaced by another member of the Board according to established procedures if that is necessary to ensure that the Panel has at least three members. The identity of the members of the Ethics Panel shall be revealed to the person charged in the complaint who, for good cause, may request the recusal of any member of the panel.

(B) *Notice of charges.* The Ethics Panel shall consider whether the facts of the case establish a violation of any provision in the ethics laws, regardless of which provisions, if any, were identified in the complaint as having been allegedly violated. However, before the Ethics Panel may find that a violation of a particular rule, the respondent must be on notice that compliance with that rule is in issue and must have an opportunity to respond. Notice is conclusively established: if the complaint alleged that the rule was violated; if compliance with the rule is raised by a member of the Board or the Ethics Compliance Officer as a disputed issue at a hearing before the Ethics Panel; or if the Board or the Ethics Compliance Officer provides the respondent with written notice of the alleged violation and a 14-day period within which to respond in writing to the charge.

(C) *Scheduling of a hearing.* Regardless of whether the complainant or the respondent requests a hearing, the Ethics Panel has discretion to decide whether to hold a hearing.

(D) *Ex parte communications.* It is a violation of this Code:

- (1) For the complainant, the respondent, or any person acting on their behalf to engage or attempt to engage, directly or indirectly, in ex parte communication about the subject matter of a complaint with a member of the Ethics Panel, any other member of the Ethics Review Board, or any known witness to the complaint; or
- (2) For a member of an Ethics Panel or any other member of the Ethics Review Board to:
 - (a) Knowingly entertain an ex parte communication prohibited by division (D)(1); or

- (b) Communicate directly or indirectly with any person, other than a member of the Ethics Review Board, its staff, or the Ethics Compliance Officer, about any issue of fact or law relating to the complaint.
- (E) *Duty to cooperate.* All city officials and employees shall cooperate with the Ethics Review Board and shall supply requested testimony or evidence to assist it in carrying out its charge. Failure to abide by the obligations imposed by this division is a violation of this Code of Ethics.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-42. - Hearings.

At any hearing held by an Ethics Panel during the investigation or disposition of a complaint, the following rules apply:

- (A) *General rules.* At least three members of the Ethics Panel must be present for the hearing. Any member of the Ethics Panel who is not present ceases to be a member of the Ethics Panel and may not participate in the disposition of the case. All witnesses must be sworn and all questioning of witnesses shall be conducted by the members of the Ethics Panel or the Ethics Compliance Officer. The Ethics Panel may establish time limits and other rules relating to the participation of any person in the hearing. No person may be held to have violated the ethics laws unless a majority of the Ethics Panel so finds by a preponderance of the evidence.
- (B) *Evidence.* The Ethics Panel shall rely on evidence of which a reasonably prudent person commonly relies in the conduct of the person's affairs. The Ethics Panel shall further abide by the following:
 - (1) The Panel shall hear evidence relevant to the allegations; and
 - (2) The Panel shall not consider hearsay unless it finds the nature of the information is reliable and useful.
- (C) *The person charged.* The person charged in the complaint has the right to attend the hearing, the right to make a statement, the right to present witnesses, and the right to be accompanied by legal counsel or another advisor. Only legal counsel to the person charged in the complaint may advise that person during the course of the hearing, but may not speak on his or her behalf, except with the permission of the Ethics Panel. The time permitted for presentation will be at the discretion of the Board.
- (D) *The complainant.* The complainant has the right to attend the hearing, the right to make a statement, and the right to be accompanied by legal counsel or another advisor. Only legal counsel to the complainant may advise the complainant during the course of the hearing, but may not speak on behalf of the complainant, except with the permission of the Ethics Panel. Witnesses may not be presented by the complainant, except with the permission of the Ethics Panel.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-43. - Disposition.

(A) *Written opinion.*

- (1) The Ethics Panel shall issue a decision within 90 days after the filing of a complaint. The Ethics Panel shall state in a written opinion its findings of fact and conclusions of law. The written opinion shall either:
 - (a) Dismiss the complaint; or
 - (b) Upon finding that there has been a violation of the ethics laws:
 1. Recommend criminal prosecution and/or civil remedies, in accordance with this section; or
 2. State why no remedial action is recommended.
- (2) If the Ethics Panel determines that a violation has occurred, the opinion shall identify in writing the particular rule or rules violated. If the complaint is dismissed, the grounds for the dismissal shall be set forth in the opinion. The failure of the Ethics Panel to comply within the above time limits may result in the charge being dismissed for want of prosecution. Prior to such dismissal, the complainant will be given notice and an opportunity to request continuance of the action.

(B) *Notification.* Copies of the opinion shall be forwarded to the complainant, the person charged in the complaint, the Ethics Compliance Officer, and any member of the Ethics Review Board who did not participate in the disposition of the case. A copy of the opinion shall also be forwarded to the City Secretary, who shall make it available as authorized by law.

(C) *Recommendations.* A recommendation for criminal prosecution shall be forwarded to the appropriate law enforcement agency. A recommendation of civil remedies shall be forwarded through the Ethics Compliance Officer to the City Commission for action.

(D) *Similar charges barred.* If the complaint is dismissed because the evidence failed to establish a violation of the ethics laws, the Ethics Review Board shall not entertain any other similar complaint based on substantially the same evidence.

(E) *Factors relevant to sanctions.* In deciding whether to recommend, in the case of a violation of the Code of Ethics, criminal prosecution and/or civil remedies, the Ethics Panel shall take into account relevant considerations, including, but not limited to, the following:

- (1) The culpability of the person charged in the complaint;
- (2) The harm to public or private interests resulting from the violation;
- (3) The necessity of preserving public confidence in the conduct of local government;
- (4) Whether there is evidence of a pattern of disregard for ethical obligations; and

- (5) Whether remedial action has been taken that will mitigate the adverse effect of the ethical violation.
- (F) *Civil remedies.* The following civil remedies may be recommended by an Ethics Panel which finds that the ethics laws have been violated:
 - (1) Review of the case by the City Manager, or his or her designate, for disciplinary action;
 - (2) A suit by the city for damages or injunctive relief in accordance with § 3-13-49;
 - (3) Disqualification from contracting in accordance with § 3-13-53;
 - (4) Voiding of a contract in accordance with § 3-13-52; and
 - (5) A fine in accordance with § 3-13-54.
- (G) *Criminal prosecution.* An Ethics Panel may recommend to the appropriate law enforcement agency criminal prosecution under § 3-13-51 or Tex. Local Gov't Code, § 171. Prosecution of any person by the City Attorney for a violation of this Code of Ethics shall not be undertaken until a complaint is disposed of in accordance with this section. However, the absence of a recommendation to prosecute from an Ethics Panel to the City Attorney shall not preclude the City Attorney from exercising his or her prosecutorial discretion to prosecute a violation of this Code of Ethics.
- (H) *Commission action.* City Commission shall dispose of a recommendation from the Ethics Review Board within 90 days of receiving such recommendation. The recommendation(s) of the Ethics Review Board may be accepted, rejected, modified, or recommitted one time to said Board for further action or clarification within 15 days of receipt of the recommendation by the City Commission. Within five days of the initial recommendation being recommitted to the Ethics Review Board by the City Commission, the Ethics Review Board shall take further action or make clarification of the matter requested and resubmit the matter to the City Commission.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-44. - Petition for declaratory ruling.

Any city official or employee against whom public allegations of ethics violations have been made in the media or elsewhere shall have the right to file a sworn statement with the City Secretary affirming his or her innocence, and to request the Ethics Review Board to investigate and make known its findings, and make any relevant recommendations concerning the issue.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-45. - Advisory opinions.

- (A) *Opinions issued by the Ethics Review Board.*
 - (1) *Requests by persons other than city officials and employees.*

(a) By writing filed with the City Secretary, any person other than a city official or employee may request an advisory opinion with respect to the interpretation of the ethics laws, but only with respect to whether proposed action by that person would violate the ethics laws. The City Secretary shall promptly transmit all requests for advisory opinions to the Ethics Compliance Officer and the chair of the Ethics Review Board. (City officials and employees may request advisory opinions from the City Attorney pursuant to division (B).)

(b) Within 30 days of receipt by the chair of the Ethics Review Board of a request for an advisory opinion, the Board, acting en banc or through a designated Ethics Panel, shall issue a written advisory opinion. During the preparation of the opinion, the Board may consult with the Ethics Compliance Officer of the city and other appropriate persons. An advisory opinion shall not reveal the name of the person who made the request, if that person requested anonymity, in which case the opinion shall be written in the form of a response to an anonymous, hypothetical fact situation. A copy of the opinion shall be indexed and kept by the Ethics Review Board as part of its records for a period of not less than five years. In addition, copies of the opinion shall be forwarded by the chair of the Ethics Review Board, or the Ethics Compliance Officer, to the person who requested the opinion, to the members of the Ethics Review Board, and to the City Secretary. The City Secretary shall make the opinion available as a public record in accordance with the Local Government Records Act. The Ethics Compliance Officer shall promptly post the opinion for a period of no less than five years on the Internet via the City of Kingsville homepage.

(2) *Opinions initiated by the Board.* On its own initiative, the Ethics Review Board, acting as the full board or through a designated Ethics Panel, may issue a written advisory opinion with respect to the interpretation of the ethics laws as they apply to persons other than city officials and employees if a majority of the Board determines that an opinion would be in the public interest or in the interest of such person or persons subject to the provisions of the ethics laws. Such an opinion may not include the name of any individual who may be affected by the opinion. A copy of any such opinion shall be indexed and kept by the Ethics Review Board as part of its records for a period of not less than five years. In addition, copies of the opinion shall be forwarded by the chair of the Ethics Review Board, or his or her designate, to the Ethics Compliance Officer and to the City Secretary. The City Secretary shall make the opinion available as a public record in accordance with the Local Government Records Act. The Ethics Compliance Officer shall promptly post the opinion for a period of no less than five years on the Internet via the City of Kingsville homepage.

(3) *Reliance.* If a person reasonably and in good faith acts in reliance on an advisory opinion issued by the Ethics Review Board, that fact may be considered by an Ethics Panel in adjudicating a complaint filed against that person, but does not by itself bar the finding of a violation.

(B) *Opinions issued by the Ethics Compliance Officer.*

(1) *Requests by city officials and employees.*

- (a) By writing filed with the Office of the City Attorney, any city official or employee may request an advisory opinion with respect to whether proposed action by that person would violate the ethics laws.
- (b) Within 30 days of receipt of the request by the Office of the City Attorney, the Ethics Compliance Officer shall issue a written advisory opinion. The advisory opinion shall not reveal the name of the person who made the request, if that person requested anonymity, in which case the opinion shall be written in the form of a response to an anonymous, hypothetical fact situation. Copies of the opinion shall be forwarded by the Ethics Compliance Officer to the members of the Ethics Review Board, to the person who requested the opinion, and to the City Secretary, and promptly posted by the Ethics Compliance Officer for a period of no less than five years on the Internet via the City of Kingsville homepage. The City Secretary shall make the opinion available as a public record in accordance with the Local Government Records Act.

(2) *Reliance.* A person who reasonably and in good faith acts in accordance with an advisory opinion issued by the Ethics Compliance Officer may not be found to have violated the ethics laws by engaging in conduct approved in the advisory opinion, provided that:

- (a) He or she requested the issuance of the opinion;
- (b) The request for an opinion fairly and accurately disclosed all relevant facts; and
- (c) Less than five years elapsed between the date the opinion was issued and the date of the conduct in question.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-46. - Annual report.

The Ethics Review Board shall prepare and submit an annual report to the Mayor and City Commission detailing the activities of the Board during the prior year. The format for the report shall be designed to maximize public and private understanding of the Board's operations, and shall include a summary of the content of ethics opinions issued by the Board and a listing of current city lobbyists based on information gathered by the Board from records on file with the City Secretary. The report may recommend changes to the text or administration of this Code of Ethics. The Ethics Compliance Officer of the city shall take reasonable steps to ensure wide dissemination and availability of the annual report of the Ethics Review Board.

(Ord. 2004-10, passed 5-10-04)

Sec. 3-13-47. - Public records and open meetings.

Except as otherwise provided in this subarticle, records relating to an alleged violation of the ethics laws, or the preparation of an ethics opinion requested by a person who asked for anonymity, shall not be open to the public and shall be treated as information that is excepted from public disclosure as required or permitted under the Texas Open Records Act or other law. No meeting or other proceeding relating to an alleged violation of the ethics law shall be treated as open to the public unless closed sessions in connection therewith are not permitted or required by the Texas Open Meetings Act or other law.

(Ord. 2004-10, passed 5-10-04)

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AGENDA ITEM #26